

CONFIDENTIAL.

(4991.)

PART VI.

F.O.
403

FURTHER CORRESPONDENCE

RESPECTING THE

AFFAIRS OF NORTH AFRICA.

51

January to March 1884.

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CONFIDENTIAL.

Further Correspondence respecting the Affairs of North Africa.

PART VI.

No. 1.

M. Waddington to Earl Granville — (Received January 1, 1884.)

M. le Comte,

Londres, le 31 Décembre, 1883.

VOUS avez bien voulu me demander, pour compléter ma lettre d'avant-hier relative à la suppression de la Cour Consulaire Anglaise à Tunis, des explications sur la procédure que devront suivre à Tunis les sujets ou protégés du Gouvernement de la Reine qui ont des réclamations immobilières contre le Gouvernement du Bey.

Je m'empresse de vous rappeler, en réponse à ce désir de votre Excellence, les termes sur lesquels nous sommes tombés d'accord à cet égard et qui sont les suivants: "Les réclamations immobilières ne seront pas soumises à l'arbitrage; elles seront jugées par le Tribunal compétent." Mais il est convenu que dans le cas où ce ne serait pas au Gouvernement Tunisien à être attaqué, mais où il serait au contraire d'après ses lois le demandeur, il ne différerait pas le moment d'intenter son action. Il est bien entendu que le Gouvernement Anglais de son côté usera de toute son influence pour que ses sujets ou protégés agissent de même.

Dans le cas où la question de savoir qui est demandeur ou défendeur serait douteuse, c'est le Chara qui tranchera.

Je prie M. Jules Ferry de vouloir bien faire connaître à notre Ministre Résident à Tunis les termes de cet accord et d'insister pour que nous puissions en finir ainsi le plus promptement possible avec toutes ces contestations.

Veillez, &c.
(Signé) WADDINGTON.

No. 2.

The Law Officers of the Crown and Dr. Deane to Earl Granville. — (Received January 1.)

My Lord,

Royal Courts of Justice, January 1, 1884.

WE were honoured with your Lordship's commands signified in Sir Julian Pauncefote's letter of the 26th ultimo, stating that he had the honour to transmit to us, by direction of your Lordship, the accompanying draft of an Order in Council, which it was proposed to pass on the 1st January next, for the abandonment of Her Majesty's Consular jurisdiction in Tunis.

That that jurisdiction was at present regulated by the Ottoman Order in Council of the 12th December, 1873, and the Ottoman (Tunis) Order in Council of 1881.

That Sir Julian Pauncefote was to invite our attention to your Lordship's letter to the French Ambassador of the 16th November, 1883, in which certain conditions were laid down on which the consent of Her Majesty's Government to abandon British Consular jurisdiction in the Regency was made to depend.

That those conditions had been acceded to by the French Government, and that

they were most anxious that the new régime should be introduced on the 1st January, 1884.

That the French Law establishing the new Tribunals would be found at p. 39 of the printed correspondence (Tunis 4853, 1882-83). That it was dated the 27th March, 1883, and was published in the Tunisian Government Gazette (Ibid. p. 35).

That by a Decree of the Bey of Tunis of the 5th May last (Correspondence, p. 41) it was declared that the subjects of foreign Powers whose Consular jurisdiction should have been abandoned, should have become justiciable by the French Tribunals under the same conditions as French subjects.

That as regarded the form of the Order in Council Sir Julius Pauncefote was to refer us to a Memorandum by the late Sir F. Reilly of the 15th June (Correspondence, p. 48). That since that date the French Tribunals had been actually established, and that their power to exercise jurisdiction over foreigners was derived from Article 2 of the French Law of the 27th March (Correspondence, p. 39), and the Decree of the Bey of the 5th May (Ibid., p. 41). That we would observe that the draft Order had been prepared substantially in the form suggested by Sir F. Reilly, and in accordance with the precedent referred to in his Memorandum, which we would find at p. 147 of the accompanying collection of Orders in Council for Turkey and Egypt. That Her Majesty's Court for Tunis would still continue to exercise its powers for the purpose of disposing of pending cases, and of cases relating to real property, as to which Sir Julian Pauncefote was to refer us to the French Memorandum (Correspondence, p. 61), under the title "Observations Générales."

That Sir Julian was to request that we would take the papers transmitted therewith into our consideration, and that we would favour your Lordship with our opinion as to whether the draft Order might properly be submitted to the Queen for Her Majesty's approval.

In obedience to your Lordship's commands we have the honour to report—

That we are of opinion that the draft Order may properly be submitted to the Queen for Her Majesty's approval. The Order may be made to come into force on such day as one of Her Majesty's Secretaries of State shall direct.

We have, &c.

(Signed)

HENRY JAMES.
FARRER HERSHELL.
J. PARKER DEANE.

No. 3.

Dr. Arpa to Earl Granville.—(Received January 2, 1884.)

(No. 64.)

My Lord,

Tunis, December 22, 1883.

I HAVE the honour to confirm and extend my telegram No. 34 of the 21st instant, reporting an attempt made by a French officer, a Capitaine de Gendarmerie, and a gendarme, whose names are unknown, to arrest one Carmelo Demech, a British subject, and their undue interference with the janissaries of Her Majesty's Consulate whilst in the performance of their duties.

The circumstances under which the occurrence took place, on the 20th instant, according to sworn evidence, are as follows:—

The French officer stopped to speak to a French soldier near a carriage station outside the town-gate, or Bab-el-Bahr, at a short distance from the British Consulate. A Maltese, Giuseppe Vella, who was standing close by, thinking that the officer wanted a carriage, told so to a carriage driver near him, whereupon the officer slapped Vella's face. Carmelo Demech, another British subject, seeing this, asked the French officer why he had done so, but he received the same treatment; the officer slapped also the face of this man, who caught hold of him, and a scuffle ensued between the two. The French officer then, with the assistance of a Capitaine de Gendarmerie and a gendarme, seized Demech, and would have arrested him but for the action of all the Maltese present and two British janissaries, who rescued Demech from the hands of his aggressors, who, I understand, walked struggling against their opponents, and Demech himself, in the endeavour of arresting him to the very door of Her Majesty's Consulate, where Demech could find protection, and where the gendarme drew his sword almost inside the entrance of the Consulate itself, whilst outside, a good number of armed French soldiers gathered, but who withdrew after being asked to do so by one of the janissaries.

One of the sworn evidences I have taken is to the effect that the officer who slapped the face of the two men was the same person who shortly before had fallen down whilst running after a Jew, at a short distance from the place where the scuffle occurred. This would throw some light as to the reason why the officer struck the two men, who, he might have thought, had connection with what had happened to him before.

I have seen the man Demech immediately after the occurrence, and he bore fully the traces of the violence of which he had been the subject—his shirt and coat were torn almost to pieces. I beg to inclose herewith the sworn statements of persons present having reference to this incident.

The facts of the present case are different from those which occurred before in reference to the action by the French military authorities taken here against the liberty of British and foreign subjects. This is not the instance of an arrest by French military authorities of a British subject, executed behind the back of Her Majesty's Consulate. It is an attempt to arrest a British subject, made by French officers and French military police in the very presence of British officers, whose duty and exclusive right it was to apprehend that British subject, and whilst they were trying to do so. It is the case of a struggle between two authorities in the contention of a disputed right. And it would be inadmissible, I believe, to hold that the French officers and gendarmes intended to apprehend the British subject, with the object of making him over to his own authority, as the struggle took place at the very door of the Consulate whence they were trying to drag the man away. But were that not self-evident, such a contingency would be negatived by the previous instances of arrests of British subjects by the French military authorities. Nor would it be, I believe, an excuse to say that the aggressors did not know that there were British janissaries present, as they are well known to the gendarmes, just as the gendarmes are well known to the janissaries; besides that the Royal Arms were on their cap.

The circumstances of the present case are of such a nature that I thought it proper to bring the matter to the notice of the French Minister Resident, recording a protest against the course adopted by the French officer and French military police in the present occurrence, a copy of which, with its inclosure, I beg also to inclose herewith, together with M. Cambon's reply thereto.

I took this opportunity to point out to M. Cambon that this state of things may lead to serious consequences. I believe that the mind of the lowest classes of the British population in Tunis is excited by the several instances of aggressive attitude on the part of French military men and French military authorities on British subjects, which they consider as vexatious and unbearable, and what has occurred on the present occasion seems to demonstrate pretty clearly what their action may be on another occasion perhaps not very far distant. In this instance, all the Maltese present seem to have acted as one man, and the impulse they have given in driving on every one towards Her Majesty's Consulate must have been irresistible.

The reply of the French Minister Resident does not call for comment. He states that the officer had been insulted. It may have been so, but that would only form the subject for a judicial inquiry. He also states that the man arrested for a moment was at once made over to his own authority. This is flat denial in the face of crushing evidence proving the other way, and grounded, as M. Cambon states, on his own information.

I have, &c.

(Signed)

F. ARPA.

Inclosure 1 in No. 3.

Dr. Arpa to M. Cambon.

Excellency,

Tunis, December 21, 1883.

I HAVE the honour to inclose herewith copy of a complaint by two British subjects in reference to an attempt made by a French officer, a French Capitaine de Gendarmerie, and a gendarme, to arrest one of them after having struck him, and for striking the other.

The matter seems to have been aggravated by the undue interference on the part of the French officer and the two French gendarmes, with two of the British janissaries in the execution of their duties.

The two British subjects, Giuseppe Vella and Carmelo Demech, state that yesterday a French officer, whose name they do not know, stopped to speak to a French private

outside the town-gate at a short distance from the same, that Giuseppe Vella, thinking that the officer required a carriage, called a carriage-driver close by, and that the officer immediately slapped his face; that Carmelo Demech, upon seeing this, asked the officer why he had done so, whereupon he met with the same treatment, the officer slapping him also in the face; that Demech then caught hold of the officer, who, with the assistance of a French gendarme and a Capitaine de Gendarmerie, caught hold of him and would have arrested him but for the action of several Maltese present and two British janissaries against whom they struggled to the very door of Her Majesty's Consulate, where Demech could find protection, and where one of the French officers drew his sword.

It is not within the scope of this communication to deal with the merits of the assault alleged to have been committed—though from sworn evidence before me the behaviour of the French officer seems to have been unjustifiable—but I beg I may be permitted to observe that the interference with the liberty of British subjects in Tunis through the action not only of French military men, but also through that of the French police, has reached such a climax that Her Majesty's Consulate in this country could not vouch for any breach of the peace arising from the action that the British population may take in the endeavour of protecting their own person and liberty, and of which the present case seems to be an instance on a limited scale.

As I have felt it my duty to submit to Her Majesty's Government the circumstances of this case, I have for the present nothing else to say on the subject except to record, as I have the honour to do, pending reference to my Government, a formal protest against the facts above set forth.

I have, &c.
(Signed) F. ARPA.

Inclosure 2 in No. 3.

Petition of Giuseppe Vella and Carmelo Demech.

(Translation.)

To F. Arpa, Esquire, LL.D., Her Majesty's Consul and Judge, Her Britannic Majesty's Acting Agent and Consul-General, Tunis.

The humble Petition of Giuseppe Vella and Carmelo Demech, British subjects.

Respectfully sheweth,

THAT yesterday, the 20th instant, at about 2 p.m., your petitioners were standing near the carriage of one Rocco, a British subject, when a French officer approached them followed by a French soldier. Thinking that the said officer wanted a carriage, your petitioner Vella called the owner of one of the carriages, whereupon, without any reason whatever, the officer slapped his face. Your petitioner Vella, astonished at such proceedings, remained standing where he was without retaliating.

That the French officer walked on, but hearing some Maltese asking the reason of such strange conduct, he immediately returned near Giuseppe Vella back, and finding Carmelo Demech there, slapped the latter's face also.

That Carmelo Demech upon being so assaulted caught hold of the officer by the breast with the sole object of defending himself, as he thought he was mad.

That at that moment, seeing a Capitaine de Gendarmerie, accompanied by a gendarme, the officer called them and ordered them to arrest your petitioner Demech.

That Demech, holding he had done nothing wrong, and that he was a British subject, and perceiving that he was protected by a large number of Maltese, refused to follow the military men, and asked them to take him to the English Consulate.

That the said French military men, notwithstanding the presence of two Dragomen of Her Majesty's Consulate, Mohamed and Allela, and a large crowd of people who were defending him, continued to use force, trying to take him from their hands, tearing his clothes in the struggle, until they reached the door of Her Majesty's Consulate.

For these reasons—

The Undersigned, in the name of your petitioners, beg you will take such steps towards the competent French authorities as you may consider necessary for your petitioners to obtain full satisfaction from the said military French men, not only for the blows they received, but also for the attempted illegal arrest tried to be committed on

the person of Carmelo Demech, reserving all other rights against the said military men of which your petitioners intend to make use hereafter.

(Signed) Avvocato ALF. M. CAMILLERI.

Tunis, December 21, 1883.

Inclosure 3 in No. 3.

Deposition of Mohamed and Allela, Dragomen of Her Majesty's Consulate-General.

(Translation.)

WE, the Undersigned, Mohamed and Allela, Dragomen of Her Majesty's Consulate-General, make oath and say that on the 20th instant, at about 2 p.m., we were on duty at the said Consulate, when some Maltese came to call us. We went out and found a large crowd of people at the Bab-el-Bahr gate, and one Carmelo Demech in the hands of a great number of Maltese and two French officers who had a French gendarme with them. They were struggling with the Maltese to have Carmelo Demech in their power. We told the French military men to let go Carmelo Demech, as, he being a British subject, we would take him to the English Consulate; but the said French military men would not listen to us and continued to use force against us also to take him from our hands. But being assisted by several Maltese we rescued him and walked struggling with the French as far as this Consulate, where he could find refuge. At the moment of entering the Consulate a piquet of French zouaves came up to the door, but Allela stopped them, and they went back again.

(Signed in Arabic) MOHAMED.
ALLELA.

Sworn at Tunis, this 21st day of December, 1883.

Before me,
(Signed) F. ARPA, Consul and Judge.

Inclosure 4 in No. 3.

Deposition of Giuseppe Vella.

(Translation.)

I, THE Undersigned, Giuseppe Vella, make oath and say, that at about 2 p.m. to-day, I was near Bab-el-Bahr (town-gate) near the carriage station by the side of the Baccoush's building. I was leaning on the landau carriage, belonging to Rocco Farrugia, when a French officer, accompanied by a soldier, said something to me which I did not understand, as he spoke in French. I thought he wanted to hire a carriage and therefore called the coachman Rocco, but all of a sudden the officer gave me a slap on the face. I remained silent as I thought he was mad. The officer went away, but immediately returned back and gave another slap on the face of Carmelo Demech, who was near me. The officer then called another officer who was accompanied by two French gendarmes. The officer who had struck me gave them orders to arrest Carmelo, who refused to follow them. Then the gendarmes and officers tried to take him by force, but a number of Maltese present pushed everybody towards Her British Majesty's Consulate. When they were near Bab-el-Bahr, Mohamed, the Dragoman of the English Consulate, arrived and asked the military men to give up the Maltese to him, but they refused and began to pull the Maltese to take him with them, and they continued to act like that until they reached the door of Her Majesty's Consulate-General.

(Signed) GIUSEPPE VELLA, his X mark.

Sworn at Tunis, this 20th day of December, 1883.

Before me,
(Signed) F. ARPA, Consul and Judge.

Inclosure 5 in No. 3.

Deposition of Carmelo Demech.

(Translation.)

I, THE Undersigned, Carmelo Demech, make oath and say that at about 2 P.M. to-day I was near Bab-el-Bahr (gate) near the carriage station by the side of Baccoush's building. Giuseppe Vella was leaning on the carriage of one Rocco, when I saw a French officer approach Giuseppe. I cannot say what he said to him in French, but I heard Giuseppe call Rocco saying that an officer wanted to hire a carriage. Whereupon I saw the French officer slap Giuseppe's face. He then walked a short distance and abruptly returned back towards us and gave me also a slap on the face. Seeing I was being struck without reason, I caught hold of him by the breast thinking he was mad. Whereupon the officer called another officer who was accompanied by a gendarme, both French, and ordered them to arrest me. The Maltese present used force and pushed me towards Her Majesty's Consulate. The French officer and gendarmes struck me and tore my clothes. The Dragomen of the British Consulate, Mohamed and Allela, arrived when we were near the gate, or Bab-el-Bahr. They tried to rescue me from the hands of the French, but the latter refused and pulled me backwards towards the Marina.

The crowd pushed us all towards the English Consulate, to which place the French continued to use violence against me.

(Signed) CARMELO DEMECH, his X mark.

Sworn at Tunis, this 20th day of December, 1883.

Before me,

(Signed) F. ARPA, Consul and Judge.

Inclosure 6 in No. 3.

Deposition of Carmelo Farrugia.

(Translation.)

I, THE Undersigned, Carmelo Farrugia, make oath and say that at 2 P.M. this day I was out of Bab-el-Bahr (gate) near the carriage station, where I saw a French officer and a soldier speaking together. The officer was pointing Giuseppe Vella to the soldier. I approached them to see what they meant, when the officer, raising his arm, slapped the Maltese in the face, and then withdrew, going towards Bab-el-Bahr, where he met another French officer to whom he spoke. They then returned back together. Carmelo Demech asked the French officer why he had struck Giuseppe Vella, whereupon the officer slapped his face also. Carmelo Demech, astonished at such an act, caught hold of the officer and dealt him a blow, but the moment he touched him, two French gendarmes caught hold of the said Demech. The Maltese present resisted the gendarmes and officers, and prevented Demech from being taken away, and accompanied him to the English Consulate in spite of the gendarmes.

(Signed) CARMELO FARRUGIA, his X mark.

Sworn at Tunis, this 20th day of December, 1883.

Before me,

(Signed) F. ARPA, Consul and Judge.

Inclosure 7 in No. 3.

Deposition of Angelo Farrugia.

(Translation.)

I, THE Undersigned, Angelo Farrugia, make oath and say, that yesterday towards 2 P.M. I was near the café, called "Madonia," outside the Bab-el-Bahr, when I saw a French officer fall down. The said officer had been running after a Jew. I was told that he fell because he had got hold of the Jew by his robe, which remained in his hand. He afterwards walked towards Bab-el-Bahr. I went, after some time, towards the English Consulate, where I saw a large crowd, amongst whom the officer who I had seen falling. Whilst near the door of the British Consulate, I was told it was the same officer who had fallen, that had struck Giuseppe Vella and Carmelo Demech.

(Signed) ANGELO FARRUGIA, his X mark.

Sworn at Tunis, this 20th day of December, 1883.

Before me,

(Signed) F. ARPA, Consul and Judge.

Inclosure 8 in No. 3.

Deposition of Antonio Spiteri.

(Translation.)

I, THE Undersigned, Antonio Spiteri, make oath and say that at about 2 P.M. this day I was near Bab-el-Bahr, or town-gate, when I saw a French officer give Carmelo Demech a slap in the face, and immediately afterwards a Captain of Gendarmerie, accompanied by a gendarme, approached them and tried to arrest the Maltese. I observed to the Captain of Gendarmerie that the man was a British subject. The Maltese present insisted also that he should be taken to the English Consulate. I then went away.

(Signed) ANTONIO SPITERI, his X mark.

Sworn at Tunis, this 20th day of December, 1883.

Before me,

(Signed) F. ARPA, Consul and Judge.

Inclosure 9 in No. 3.

Deposition of Antonio Catania.

(Translation.)

I, THE Undersigned, Antonio Catania, make oath and say that at about 2-30 P.M. this day I was near Bab-el-Bahr (gate), and there saw a French officer walk quickly. Giuseppe Vella, who was in his way, made room for him to pass. The officer, who had already passed by, returned back and gave Giuseppe Vella a slap in the face. The latter remained standing where he was, stupified, and the officer moved on. He, however, returned back, and perceiving another French officer, called him. Rocco Farrugia, a coachman, seeing that the officer was coming back, thought that he wanted a carriage, and offered him his. The officer seeing Carmelo Demech near Rocco Farrugia, gave the former a slap in the face also. Whereupon, Carmelo Demech seeing himself thus struck, caught the officer by the breast in order to prevent his striking him again.

(Signed) ANTONIO CATANIA, his X mark.

Sworn at Tunis, this 20th day of December, 1883.

Before me,

(Signed) F. ARPA, Consul and Judge.

Inclosure 10 in No. 3.

Deposition of Benedetto Vassallo.

(Translation.)

I, THE Undersigned, Benedetto Vassallo, make oath and say, that at about 2 P.M. this day I was near Bab-el-Bahr (gate), where I saw some French military men wanting to arrest one Carmelo Demech. I approached them. Carmelo, assisted by all present, refused to accompany them, and all moved towards Her Majesty's Consulate. At Bab-el-Bahr, the British Dragomen, Mohammed, and Allela arrived. Mohammed asked the military men to deliver the Maltese to him, which they refused to do, saying they wanted to take him with them. When they arrived before the Café de France, a Frenchman, dressed in plain clothes, dealt me four blows with a stick, and tried to strike the Dragoman Mohammed, but I prevented him. The military men continued to use force against the Maltese and the British Dragomen until Carmelo Demech got into the British Consulate. The attack on the Maltese by the military men was so severe that they tore all his clothes.

(Signed) BENEDETTO VASSALLO, his X mark.

Sworn at Tunis, this 20th day of December, 1883.

Before me,

(Signed) F. ARPA, Consul and Judge.

Inclosure 11 in No. 3.

Deposition of Giuseppe Zahra.

(Translation.)

I, THE Undersigned, Giuseppe Zahra, a clerk in Her Majesty's Consulate, make oath and say that at about 2 P.M. this day I saw a crowd of people, amongst whom I have seen a Maltese coachman well known to me, but whose name I do not know, held by his arm by a French military man, who dragged him towards the Marina, whilst some Maltese, accompanied by a Dragoman of the British Consulate, were pulling him towards the Consulate. When they arrived at the Consulate I saw one of the gendarmes, who accompanied the officer, unsheath his sword almost inside the very entrance of the Consulate.

(Signed) G. ZAHRA.

Sworn at Tunis, this 20th day of December, 1883.

Before me,
(Signed) F. ARPA, Consul and Judge.

Inclosure 12 in No. 3.

M. Cambon to Dr. Arpa.

M. le Gérant,

Tunis, le 22 Décembre, 1883.

J'AI reçu la lettre que vous m'avez fait l'honneur de m'adresser le 21 de ce mois, au sujet de la plainte formée par les Sieurs Giuseppe Vella et Carmelo Demech, contre un officier de la Division du Corps d'Occupation.

Il résulte des renseignements qui m'ont été fournis sur le fait en question, que cet officier ayant été insulté, son premier mouvement a été de faire arrêter son agresseur par un gendarme qui passait. De là une émotion et un tumulte fort explicables en pareil cas. Mais, en somme, l'individu arrêté un moment, a été rendu aussitôt à son autorité et l'ordre a été promptement rétabli.

Je ne vois donc dans cet incident aucun caractère de gravité, ni surtout aucune offense envers le Gouvernement de Sa Majesté Britannique, et j'espère que vous voudriez bien partager cette manière de voir.

Agréer, &c.
(Signed) PAUL CAMBON.

No. 4.

Viscount Lyons to Earl Granville.—(Received January 2, 1884.)

(No. 897.)

My Lord,

Paris, December 31, 1883.

I HAVE the honour to inclose a copy of a note, in which, in obedience to the instruction conveyed to me in your Lordship's telegram (*en clair*) No. 64 of this evening, I have informed the French Government that the jurisdiction of Her Majesty's Court for Tunis will be abolished on and after the 1st January next, except as to pending cases.

I have, &c.
(Signed) LYONS.

Inclosure in No. 4.

Viscount Lyons to M. Jules Ferry.

M. le Président du Conseil,

Paris, December 31, 1883.

IN pursuance of instructions which I have received from Her Majesty's Government, I have the honour to inform the Government of the French Republic that, by an Order in Council, dated to-day, the jurisdiction of Her Britannic Majesty's Court for Tunis will be abolished on and after the 1st January next, except as to pending cases, and that Dr. Arpa, Judge of the Court, has been instructed accordingly.

I have, &c.
(Signed) LYONS.

No. 5.

*Bond of the General Tunisian Debt, furnished by Mr. Reade, January 2, 1884.**Dette Générale du Gouvernement Tunisien. Emission de 250,000 Obligations Nouvelles.*

EN remplacement des obligations anciennes et autres valeurs composant la dette du Gouvernement, liquidée et arrêtée par la Commission Financière instituée par le Décret de son Altesse le Bey, en date du 5 Juillet, 1869.

Arrangement du 23 Mars, 1870, dont l'exécution a été placée sous la protection des trois Gouvernements d'Angleterre, de France, et d'Italie.

Obligation Renouvelée de 500 fr. No. 66,917, au Porteur, produisant 25 fr. d'intérêt annuel, payables par semestre, le 1^{er} Janvier et le 1^{er} Juillet.

Le Gouvernement a concédé à ses créanciers pour le service tant des intérêts que du capital de cette dette jusqu'à son extinction totale par voie de rachat, divers revenus publics s'élevant annuellement à 6,500,000 fr., et pouvant atteindre 8,000,000 fr.

La gestion de ces revenus est remise aux mains d'un Conseil d'Administration spécial nommé par la Commission Financière, aux termes de l'Arrangement du 23 Mars, 1870.

Le paiement des coupons se fait, par les soins du Conseil, à Paris, Londres, Florence, et Tunis.

Le 1^{er} Janvier, 1880.

Vu pour contrôle :

Le Délégué de la Société Marseillaise de Crédit Industriel et Commercial, et de Dépôts chargée de l'échange, &c.

Le Délégué du Gouvernement Tunisien, &c.

Le Délégué de la Commission Financière, &c.

No. 6.

Earl Granville to Mr. Egerton.(No. 1.)
Sir,

Foreign Office, January 2, 1884.

I TRANSMIT to you herewith an extract of a despatch from Her Majesty's Agent and Consul-General in Tunis reporting the circumstances under which a plot of ground belonging to General Benayad, a British subject, has been invaded and forcibly occupied by a Greek subject named Gringa, and complaining of the attitude of the Greek Consul in the matter.*

I have to request you to represent this case to the Greek Government, and to ask that the Greek Consul may be called upon for explanations.

I am, &c.
(Signed) GRANVILLE.

No. 7.

Sir J. Drummond Hay to Earl Granville.—(Received January 3, 1884.)

(No. 96. Confidential.)

My Lord,

Tangier, December 27, 1883.

WITH reference to the subject of my despatch No. 92, Secret, of the 15th ultimo, and to your Lordship's despatch No. 50 of the 7th instant, M. Diosdado informed me this morning that M. Ordega had mentioned to him in the course of conversation, a few days ago, that he had been directed by M. Ferry to pursue the same line of policy as that which was pursued by Spain for the maintenance of the integrity and independence of Morocco!

M. Diosdado observed to me that he did not believe M. Ordega was speaking the truth, as it is in direct contradiction of his past language.

* See Part V, No. 252.

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I remarked that France had her hands full, and that M. Ferry was no doubt a more prudent Minister than his predecessors, and may therefore have given M. Ordega late instructions to avoid giving umbrage to the Spanish Government or their Representative. It is just possible also that something may have transpired which has led the French Government to alter, temporarily at any rate, their views regarding this country.

I have, &c.
(Signed) J. H. DRUMMOND HAY.

No. 8.

Dr. Arpa to Earl Granville.—(Received January 3.)

(No. 37.)
(Telegraphic.)

Tunis, January 3, 1884.

I INFORMED French Minister Resident in the sense of your Lordship's telegram of the 31st ultimo, and issued a notification to the same effect. On New Year's Day about 200 British subjects of the lower classes were presented to Cardinal Lavigerie and M. de Cambon, who both addressed them in very kind words. A written Address signed by about 200 British subjects was also presented to his Eminence and French Minister Resident by a Committee of nine British Notables, a written speech being read by Mr. Diacono in the one case and by Mr. Pisani in the other. Both the Cardinal and M. de Cambon made suitable replies.

If British advocates must speak French the concession is of no avail.

No. 9.

Sir J. Pauncefote to the Law Officers of the Crown and Dr. Deane.

SIR JULIAN PAUNCEFOTE presents his compliments to the Law Officers of the Crown and, with reference to his note of the 8th ultimo, is directed by Earl Granville to transmit for their consideration the accompanying copy of one of the new obligations issued under the Act of the Tunis Finance Commission of 1870, with which document he has been furnished by Mr. Reade.

Foreign Office, January 3, 1884.

No. 10.

Mr. Adams to Earl Granville.—(Received January 4.)

(No. 1.)

My Lord,

Berne, January 1, 1884.

THIS morning I called, with Mr. Thornton, upon the incoming President, M. Welti, and after the usual felicitations had been exchanged, I communicated to his Excellency your Lordship's telegram, No. 11, of yesterday, stating that, by an Order in Council dated that day the jurisdiction of Her Britannic Majesty's Court for Tunis would be abolished on and after to-day, except as to pending cases, and that Dr. Arpa, Judge of the Court, had been instructed accordingly.

I have since addressed a note to his Excellency embodying the text of your Lordship's telegram.

I have, &c.
(Signed) F. O. ADAMS.

No. 11.

Mr. Vivian to Earl Granville.—(Received January 4.)

(No. 1.)

My Lord,

Copenhagen, January 1, 1884.

IN compliance with the instructions contained in your Lordship's telegram of yesterday I have addressed a note to the Danish Minister for Foreign Affairs informing him that by an Order in Council of the 31st ultimo, the jurisdiction for Her

Britannic Majesty's Court for Tunis will be abolished on and after to-day except as to pending cases, and that the Judge of the Court has been instructed accordingly.

I have, &c.
(Signed) C. VIVIAN.

No. 12.

Sir E. Malet to Earl Granville.—(Received January 7.)

(No. 4.)

My Lord,

Brussels, January 5, 1884.

WITH reference to your Lordship's telegram of the 31st ultimo, respecting the abolition of the jurisdiction of Her Britannic Majesty's Court for Tunis, and desiring me to inform the King's Government of the fact, I have the honour herewith to inclose copies of my note to M. Frère-Orban and of his Excellency's answer on the subject.

I have, &c.
(Signed) EDWARD B. MALET.

Inclosure 1 in No. 12.

Sir E. Malet to M. Frère-Orban.

M. le Ministre,

Brussels, January 1, 1884.

I AM desired by Her Majesty's Principal Secretary of State for Foreign Affairs to inform your Excellency that by an Order in Council dated yesterday, the jurisdiction of Her Britannic Majesty's Court for Tunis will be abolished on and after to-day, except as to pending cases, and I am to add that Dr. Arpa, Judge of the Court, has been instructed accordingly.

I avail, &c.
(Signed) EDWARD B. MALET.

Inclosure 2 in No. 12.

M. Frère-Orban to Sir E. Malet.

M. le Ministre,

Bruxelles, le 4 Janvier, 1884.

J'AI l'honneur d'accuser à votre Excellence la réception de la lettre du 1^{er} de ce mois, par laquelle elle a bien voulu m'informer qu'en vertu d'un Ordre en Conseil daté du 31 Décembre, la juridiction de la Cour de Sa Majesté Britannique à Tunis sera abolie à partir du 1^{er} Janvier et maintenue seulement pour les affaires pendantes.

Votre Excellence ajoute que le Dr. Arpa, Juge de la Cour, a reçu des instructions conformes.

En remerciant votre Excellence, &c.

(Signé) FRÈRE-ORBAN.

No. 13.

Mr. Stuart to Earl Granville.—(Received January 7.)

(No. 2.)

My Lord,

The Hague, January 5, 1884.

YOUR Lordship's telegram of the 31st ultimo, instructing me to inform the Netherlands Government that by an Order in Council dated on that day, the jurisdiction of Her Majesty's Court for Tunis was to be abolished on and after the 1st instant, except as to pending cases, and that Dr. Arpa, the Judge of the Court, had been instructed accordingly, reached me on the same evening, and I communicated its contents to M. Van der Does de Willebois in an official note on the following morning.

I have the honour to inclose herewith a copy of a note which I received yesterday from his Excellency, expressing his acknowledgments and thanks for the above communication.

When I alluded to the matter in question in the course of a visit which I paid to M. de Willebois on the 3rd instant, he asked me whether Her Majesty's Government had

consented to the permanent abolition, or merely to the suspension, of their rights under the Capitulations with Tunis in respect to the jurisdiction of the Consular Court, saying that he had only agreed to the suspension of the corresponding rights of the Netherlands.

I was unable to give any information to his Excellency upon this point.

I have, &c.
(Signed) W. STUART.

Inclosure in No. 13.

M. de Willebois to Mr. Stuart.

M. le Ministre,

La Haye, le 4 Janvier, 1884.

J'AI l'honneur de vous accuser réception de votre office du 1^{er} Janvier dernier, par lequel vous avez eu l'obligeance de m'informer de la décision de votre Gouvernement d'abolir, à partir de cette date, la juridiction de la Cour de Sa Majesté Britannique dans la Régence de Tunis.

En vous remerciant de cette communication, dont j'ai pris connaissance avec le plus vif intérêt, je saisis, &c.

(Signé) VAN DER DOES DE WILLEBOIS.

No. 14.

Earl Granville to Dr. Arpa.

(No. 1.)
(Telegraphic.)

Foreign Office, January 7, 1884, 6 P.M.

PAI-PAI must withdraw his notice of appeal before he can be released. As soon as you report by telegraph that he has done so, the French Ambassador will move his Government to order his release.

No. 15.

Sir H. Rumbold to Earl Granville.—(Received January 8.)

(No. 1.)

My Lord,

Stockholm, January 3, 1884.

I DULY communicated to Baron Hoehschild the contents of your Lordship's telegram of the 31st ultimo, which informed me that, by an Order in Council dated that day, the jurisdiction of Her Majesty's Court for Tunis would be abolished on and after the 1st January.

His Excellency seemed hardly to have expected so speedy a decision on the part of Her Majesty's Government, and while thanking me for my communication, he observed that it was an extremely liberal act on their part. He supposed, however, that it might now be assumed that the French would remain in Tunis.

As regarded the Swedish and Norwegian Government, he said that they had only been waiting for the completion of the French arrangements for the administration of justice in the Regency to renounce their own Capitulations.

I have, &c.
(Signed) HORACE RUMBOLD.

No. 16.

Mr. Surtees to Earl Granville.—(Received January 8.)

*The Franco-English Tunisian Esparto Fibre Supply Company, Limited,
72, Bishopsgate Street Within, London, E.C., January 7, 1884.*

I HAD the honour to make a communication to your Lordship, on the 18th ultimo, respecting the claims of the Franco-English Tunisian Esparto Fibre Supply Company (Limited), upon the French Government for wrongful interference with their operations in the Regency of Tunis, through which they have received very serious and irreparable damage.

On behalf of the above Company I now beg most respectfully to submit the amount of the claim—namely, 390,000*l.*—and also to give explanations how this amount is arrived at.

The Company bought the Concession for a term of 99 years; the French authorities have prevented them working it, as set forth in the notice of claim of the 18th ultimo, and the Company conclude that the prohibition is permanent, therefore base their claim on a ten years' purchase of the estimated profits. These profits, after the most careful investigation, were calculated at 39,000*l.*, and so set forth in the prospectus attached, upon which the public subscribed capital.

To prevent misconception as to the standing of the enterprise, or an impression being formed that it is of an adventurous character, I beg to submit to your Lordship the following facts.

Out of the many Concessions that had been made by the Bey of Tunis, the one purchased by the Company was singled out by the French as meriting their approval and requiring their support, as the operations of the Company would have the effect of providing means of subsistence to the Arabs in districts where harvests are uncertain, owing to the frequent absence of rain producing unsettled habits in the nomads so detrimental to good government. The objects of this Company have always been treated as of the highest importance by the civil and military authorities in Tunis, so much so that in 1882 the Company's representative, wishing to visit the mountains, was escorted by a column of soldiers numbering 120 and a train of 200 camels and other animals for several days.

At the latter part of the same year a column of soldiers was placed at the Company's station at Shkira, as a moral support to a party of surveyors who were examining the neighbouring country.

At the request of the Colonel of the district, the Company's agent placed stores of food for the returning Arabs from Tripoli, who were expected to arrive in a starving condition.

It was from a knowledge that the projects of the concessionnaire were receiving support from the French authorities which induced the Directors to purchase the Concession for the Company. In addition to the foregoing advantages, the operations of the Company would have the effect of increasing the revenue of the Regency by a minimum of 11,000*l.* per annum, as the smallest quantity of esparto the Company would export is 20,000 tons, which pays an export duty of 11*s.* per ton.

Just recently the Company's agent telegraphed that 3,000 tents had returned to the conceded districts, upon which information the Company immediately arranged to remit money weekly to provide employment for the Arabs, and so prevent their dispersion, notwithstanding the opposition of the authorities now experienced and complained of.

For these facts (proving the importance of the Company's intended operations in Southern Tunis) I can with confidence refer to the French Minister Resident at Tunis.

It will be out of place for me to submit to your Lordship the reason why a Company which was so welcomed in Tunis at first should for more than a year have received the steady opposition of the French. I will therefore limit my duties to the foregoing explanation, showing how the claim arises, and proving the position of the Company by the before-mentioned facts.

The estimate of profits of the Company is calculated on 150,000*l.*, which at 26 per cent. per annum, as explained in the prospectus, give 390,000*l.* for ten years.

Soliciting your Lordship's earnest consideration of this claim, I beg, &c.

(Signed) R. WATSON SURTEES, *Secretary.*

No. 17.

Mr. Egerton to Earl Granville.—(Received January 9.)

(No. 1.)

My Lord,

Athens, January 1, 1884.

ON receipt of your Lordship's telegram No. 6 of yesterday's date, respecting the abolition of Her Majesty's Tribunal for Tunis, I at once communicated its substance to the Hellenic Government.

I have, &c.
(Signed) EDWIN H. EGERTON.

Dr. Arpa to Earl Granville.—(Received January 9.)

(No. 65.)
My Lord,

I HAVE the honour to confirm my telegram No. 37 of the 3rd instant, informing your Lordship that I had, in obedience to the instructions contained in your Lordship's telegram of the 31st ultimo, informed the French Minister Resident that Her Majesty's jurisdiction in Tunis ceased from the 1st instant, and that thenceforward all British subjects in Tunis became amenable to the civil and criminal jurisdiction of the French Tribunals in the Regency. A notification was also issued by this Office to the British community here to the same effect.

The new order of things does not seem to create surprise among the British population here; it had formed the subject of their conversation for several months past, and the new organization is being, as it seems, quietly initiated.

On New Year's Day a number of about 200 of the lower classes of British subjects were presented by Father Felice, a leading Capuchin friar here, to Cardinal Lavigerie, his Eminence addressing them, I am told, in very kind words. They then proceeded to the French Residence, led by Dr. Pace, M.D., who presented them to M. Cambon, the French Minister speaking to them very kindly.

An address signed by about 200 British subjects was also separately presented by a Committee of nine British Notables to Cardinal Lavigerie, and another signed by about the same number of British subjects by the same Committee to the French Minister Resident, Mr. Diacono, a British subject, addressing his Eminence while presenting the address in the former case, and M. M. Pisani the French Minister in the latter. Both his Eminence and the French Minister made, I am informed, appropriate replies. I have the honour to inclose copy of the two addresses and the two printed speeches, together with M. Cambon's reply published in the "Journal Officiel Tunisien."

Your Lordship has been pleased to inform me that one of the conditions on which Her Majesty's Government have consented to abandon British Consular jurisdiction in Tunis is the admission of duly qualified British advocates to practice before the French Courts without this privilege being limited to those only who are now established in Tunis. This is certainly a concession of great importance as far as that class of gentlemen is concerned. There would be an opening for British lawyers generally, Maltese especially, who would come from Malta to practise before the French Courts here, thereby reducing the great number of the members of their learned profession there. But I beg I may be permitted to say respectfully that, if French pleadings are to be compulsory before the French Tribunals, that concession will become nugatory, as, even if French were familiar to British advocates, they would never be able, nor would they venture, to contend with a French adversary mastering his own language, and speaking with the volubility characteristic of the same, besides that French legal technicalities are unknown even to the most proficient French scholar if he is not a French lawyer. The British advocates will therefore be under a great disadvantage, and the concession may become a dead letter.

On the other hand, both the French Judges and the French lawyers here are, I believe, more or less conversant with Italian, and I would venture most respectfully to submit, if it be not too late, that the Italian language may be proposed as an alternative mode of pleading before the French Tribunals in the Regency, with the modification that, whilst the verbal pleadings could be either in French or Italian, that French written pleadings should be made compulsory. This, I believe, is also the position of Italian advocates. And it is not improbable that they may petition their own Government requesting that steps may be taken leading to the same direction.

I have, &c.
(Signed) F. ARPA.

No. 19.

Memorandum by Mr. Reade respecting the Invasion of a Plot of Ground at Tunis belonging to General Benayad by Messrs. Maréchal and Delsol, French subjects.

THE various circumstances which surround this case give to it a peculiar gravity and demand for it, in my opinion, some special notice. This outrage has, more than any other occurrence, had a prejudicial effect on the position of British subjects in

Tunis. A failure of justice concerning it would indeed be deplorable. On the other hand, much good will come of a favourable solution being arrived at regarding it. The history of the case has been already fully reported, but certain details should, I think, be carefully borne in mind.

It is certain—

1. That, although only partially inclosed, the land in question was very generally, if not universally, known to belong to General Benayad.
2. That the French authorities were perfectly aware that possession was effectively held by a guard placed there by the British Consulate.
3. That no French guard was ever placed on the property, as can be proved by a variety of evidence, including a formal document from the French Consulate-General.
4. That it had been formally arranged that the English guard should hold possession, *pendente lite*.
5. That Benayad's title to the property was one of ancient date.
6. That the claim put forward by Maréchal was based on a notoriously modern title illegally granted by the Sadekia College, which institution can have no right whatever to dispose of the land in question.
7. That all offers of a settlement by arbitration have been declined by the French authorities.
8. That Benayad being really in possession of the property, he should be defendant in any contestation put forward by Maréchal concerning it.
9. That the non-settlement of this case will be extremely prejudicial to the position and standing of Her Majesty's Agency and Consulate-General in Tunis.

(Signed) THOS. F. READE,
Her Majesty's Agent and Consul-General in Tunis.

London, January 9, 1884.

No. 20.

Earl Granville to Viscount Lyons.

(No. 23. Confidential.)

My Lord,

Foreign Office, January 9, 1884.

WITH reference to my despatch No. 1185, Secret, of the 7th ultimo, I transmit herewith, for your Excellency's information, copy of a further despatch from Her Majesty's Minister at Tangier, relative to France and Morocco.*

I am, &c.
(Signed) GRANVILLE.

No. 21.

Viscount Lyons to Earl Granville.—(Received January 10.)

(No. 23.)

My Lord,

Paris, January 9, 1884.

WITH reference to my despatch No. 897 of the 31st ultimo, I have the honour to transmit to your Lordship a copy of a note in which M. Jules Ferry requests me to convey to Her Majesty's Government the thanks of the French Government for abolishing the jurisdiction of Her Majesty's Consular Court in Tunis.

I have, &c.
(Signed) LYONS.

Inclosure in No. 21.

M. Jules Ferry to Viscount Lyons.

M. l'Ambassadeur,

Paris, le 8 Janvier, 1884.

VOTRE Excellence a bien voulu m'annoncer, le 31 du mois dernier, que le Gouvernement de Sa Majesté Britannique avait décidé de supprimer, à partir du 1^{er} Janvier, son Tribunal Consulaire en Tunisie. Toutefois le Magistrat Anglais demeurera provisoirement en fonctions pour terminer les affaires inscrites à son rôle antérieurement au premier jour de l'année courante.

* No. 7.

F.O. 403/51

ALL WITHOUT PERMISSION OF THE
PUBLIC RECORD OFFICE: LONDON

En vous accusant réception de cette communication je vous prie, M. l'Ambassadeur, de vouloir bien transmettre à Londres les remerciements du Gouvernement de la République pour une mesure qui met un terme à des négociations déjà anciennes, et qui aura, je n'en doute pas, des effets également bienfaisants pour les sujets Britanniques et pour les Français établis dans la Régence.

Agréez, &c.
(Signé) JULES FERRY.

No. 22.

Earl Granville to Mr. Stuart.

(No. 2.)

Sir,

Foreign Office, January 11, 1884.

WITH reference to your despatch No. 2 of the 5th instant, in which you report a conversation with M. de Willebois respecting the abolition of Foreign Consular jurisdiction in Tunis, I inclose two copies of Her Majesty's Order in Council of the 31st December last, from which you will perceive that Her Majesty's Consular jurisdiction in that Regency is not merely suspended, but has absolutely ceased, except as regards pending cases.

I am, &c.
(Signed) GRANVILLE.

No. 23.

Earl Granville to M. Waddington.

M. l'Ambassadeur,

Foreign Office, January 12, 1884.

I HAVE received your Excellency's note of the 31st ultimo, in which you record the mode of procedure to be followed, according to the views of your Government, by British or British-protected subjects in Tunis having claims against that Regency involving the tenure of land.

I have now the honour to inform your Excellency that Her Majesty's Government concur in the terms of arrangement as set forth in your note, which has anticipated the suggestion contained in the last paragraph of my letter of the 31st ultimo, that the question of the mode of dealing with land claims should be decided by an exchange of notes, and which has crossed your Excellency's letter now under acknowledgment.

I have, &c.
(Signed) GRANVILLE.

No. 24.

Earl Granville to M. Waddington.

M. l'Ambassadeur,

Foreign Office, January 12, 1884.

I HAVE the honour to inform your Excellency, with reference to verbal communications which have passed with your Excellency at this Office, that it appears by a Report received from Dr. Arpa, the British Consular Judge at Tunis, that the Maltese Pai-Pai has withdrawn his appeal against the Judgment of the Tunisian Tribunals.

I am, &c.
(Signed) GRANVILLE.

No. 25.

Dr. Arpa to Earl Granville.—(Received January 13, 5:30 P.M.)

(No. 40.)
(Telegraphic.)

Tunis, January 13, 1884, 12:50 P.M.

MUST I take cases not set down for hearing before the 1st January, but where there was a petition or protest filed before that date?

22
No. 23*.

Dr. Arpa to Earl Granville.—(Received January 11, 11 P.M.)

(No. 38.)
(Telegraphic.)

Tunis, January 11, 1884, 6:40 P.M.

PAI-PAI withdraws appeal, if ever made by his counsel, and signed declaration to that effect.

Memorandum by Mr. Reade respecting the Personnel of the British Consulate-General at Tunis.—(Received January 15.)

THE abolition of the Consular jurisdiction in Tunis will probably necessitate a change in the personnel of Her Majesty's Agency and Consulate-General.

The work of the Office will not undergo a very appreciable diminution in consequence of the cessation of its judicial Department. The political, commercial, and general business will remain the same. Since my arrival in Tunis I have constantly (notwithstanding the presence of Her Majesty's Judge and Consul) experienced the want of an additional Assistant. My former correspondence with the Foreign Office will abundantly show that the mediation of the French authorities has by no means rendered matters easier or more simple in that country.* The Pro-Consul, Mr. Pisani, has for some time past ceased to attend the Office, or render any aid whatever to his titular superior. At the present moment I have no subordinate to whom I could depute my functions, although the Maltese colony is spread over the whole face of the Regency, and serious questions, as well as shipwrecks, frequently occur.

I venture, under these circumstances, to submit that, in the event of the removal of the Consul and Judge, a properly qualified Vice-Consul be appointed in his stead. The post of Pro-Consul might conveniently be abolished.

London, January 15, 1884.

(Signed)

THOS. F. READE.

No. 27.

Earl Granville to Dr. Arpa.

(Consular.)
(Telegraphic.)

Foreign Office, January 15, 1884, 6.30 P.M.

YOUR No. 40.

We understand the expression "pending cases" as including cases actually instituted in the Court, though not set down for hearing.

No. 28.

Dr. Arpa to Earl Granville.—(Received January 16.)

(No. 2.)

My Lord,

Tunis, January 12, 1884.

I HAVE the honour to confirm my telegram No. 38, of yesterday's date, informing your Lordship that Paï Paï has withdrawn his appeal from the sentence passed on him by the French Military Tribunal here, condemning him to two years' imprisonment. He signed a document to that effect, copy of which I beg to inclose herewith.

Paï Paï did not seem to know that there had been an appeal lodged before a higher Tribunal, and he signed the declaration assuming that his counsel had done so, but I am informed by M. Cambon himself that this had been the case.

I have, &c.

(Signed)

F. ARPA.

Inclosure in No. 28.

Caserne Militaire d'Artillerie.

Tunis, le 11 Janvier, 1884.

JE Soussigné, Michele Portelli, alias Pay-Pay, Maltais d'origine (sujet Anglais) certifie n'avoir pas fait appel contre le Jugement rendu par le Conseil de Guerre de

* Mr. Reade explains that the work of the Consulate is, in fact, much greater than it was, for whereas under Tunisian rule the numerous cases in which Maltese are concerned were frequently settled by personal application, and the summoning of witnesses on the spot; now, under the French régime, these cases become at once the subject of wearisome and protracted correspondence.—T. G. S.

[1446]

F

F.O. 403/51

ALLY WITHOUT PERMISSION OF THE
PUBLIC RECORD OFFICE, LONDON

Tunis, qui m'a condamné à deux ans de prison. Dans le cas où mon avocat l'aurait fait en mon nom, je déclare annuler le dit appel, et j'acquiesce au Jugement.

(Signé) MICHELE PORTELLI, sa × croix.

Witness to the mark:

(Signed) G. CARBONARD,

Chief Clerk to Her Britannic Majesty's Agency and
Consulate-General.

No. 29.

M. Waddington to Earl Granville.—(Received January 16.)

Ambassade de France en Angleterre, Londres,
le 16 Janvier, 1884.

M. le Comte,

DÈS le reçu de la lettre du 12 de ce mois par laquelle votre Excellence m'annonçait que le Maltais Paï-Paï avait retiré son appel du Jugement rendu contre lui par le Tribunal de Tunis, je m'étais empressé de solliciter du Gouvernement Français la grâce de cet individu.

J'apprends que le Président de la République vient de signer un Décret gracieux Paï-Paï et que des ordres ont été donnés pour que ce Maltais soit mis en liberté.

Je me félicite de pouvoir vous annoncer que l'incident en question a reçu un dénouement conforme au désir de votre Excellence.

Veillez, &c.

(Signé) WADDINGTON.

No. 30.

Sir J. Drummond Hay to Earl Granville.—(Received January 17.)

(No. 3.)

My Lord,

Tangier, January 8, 1884.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch No. 55 of the 22nd ultimo, transmitting copy of a further letter received from Messrs. McNaught, Pearse, and Middleton upon the subject of the events arising out of the proceedings of the Sûs and North African Company, and stating that, though Her Majesty's Government are not disposed, upon the information before them, to alter their views as to the illegality of the proceedings of this Company, they cannot view without concern the imprisonment of the Company's native servants who, your Lordship considers, are not primarily responsible for infringing the fiscal Regulations of Morocco, inasmuch as they were incited by British subjects to commit the acts for which they are now suffering punishment.

Your Lordship informs me that Mr. McNaught called at the Foreign Office and stated that he had placed in my hands a Memorandum* of the facts of the case, which documents had not been communicated by me to Her Majesty's Government, and your Lordship requests me to report on that part of the statement in which it is alleged that the goods were landed with the authority and sanction of an officer of the Sultan, named Kaid Boazza, and that, on the arrival of the Sultan's Envoy, no objection was made by him to the proceedings of the agents of the Sûs and North African Company on the ground of illegal traffic, but that they were encouraged in their belief that their goods would be safe. If so, your Lordship considers they were the victims of a deception practised on them by the officers and Agents of the Sultan, which would throw a different light on the transaction and call for further inquiry.

On the receipt of your Lordship's despatch I had an interview with Cid Mohammed Bargash, and read to him portions of it. His Excellency expressed his surprise that the question should be reopened in consequence of the allegations of the agents of the Sûs and North African Company, Mr. Curtis, and others, who, it had already been proved, had on several occasions misled their employers by false or inaccurate information.† He said he did not believe that Kaid Boazza, or any other officer of the Sultan, would have

* See Inclosure 1 in Messrs. McNaught, Pearse, and Middleton's letter to Sir Julian Pauncefoot of December 7, 1883.—J. H. D. H.

† See Mr. McNaught's letter to Sir J. D. Hay of November 2, 1883, and paragraph in this despatch commencing "Upon Mr. McNaught, &c."—J. H. D. H.

ventured to authorize or encourage the agents of the Sûs and North African Company to land their goods at Erksheesh, or had given assurances that they would be safe, and that as to the value of the goods seized he referred me to a note* he had given to Mr. White during my absence.

With regard to the native servants of the Company, Hadj Hamdan and Jilaly, who have been imprisoned, Cid Mohammed Bargash observed that he did not understand how His Shereefian Majesty's subjects were to be considered innocent of committing an infraction of the law, and of disobedience to their Sovereign's commands because they had obeyed the orders of foreign subjects, and that he held that, as the Sultan had repeatedly warned his own subjects, and also foreign subjects, that they would not be allowed to land goods or trade on the Soos coast, he could not understand why Moorish subjects, who must have been aware of His Majesty's orders, should not be punished for their disobedience.

I did not reply to these remarks of Cid Mohammed Bargash, but said that I would address him a note embodying the views of Her Majesty's Government, to which I requested that he would reply after a reference to the Shereefian Court, and an inquiry had been made. I have the honour to transmit a translation of the note I addressed to Cid Mohammed Bargash on the 4th instant.

With reference to the statement that the goods were landed "with the knowledge and sanction of Kaid Boazza," I have the honour to call your Lordship's attention to the "Declaration of the Chiefs," which was transmitted to your Lordship by the Sûs and North African Company in their letter of the 7th December,‡ in which it is declared that "the witnesses know and give evidence that the day the Government (the officers?) came to Erksheesh, viz., Boazza, Muley-el-Kebir, and Kaid Gleemi and their followers, soldiers, and found Tajir James (Curtis) in business with his property, and they took him prisoner and left his property with their army to be taken care of, and there was a tent there, and in the port the bags of rice and barley, skins, wax, &c." If this declaration is true, it is most improbable that Kaid Boazza told Curtis or other agents that he approved of their proceedings and that their property was safe.

I had not thought it necessary to transmit to your Lordship a copy of the letter Mr. McNaught addressed to me on the 30th October,§ after the decision which had been come to by Her Majesty's Government, as explicitly made known to the Sûs and North African Company in Mr. Currie's letter¶ of the 22nd September of last year, informing them that Her Majesty's Government declined to take any further action in this matter. I caused a reply to be addressed to Mr. McNaught conceived in that sense, of which I have the honour to inclose a copy.

Upon Mr. McNaught asking me, in a letter dated the 2nd November,|| to obtain permission for their Company to carry on a legitimate trade at the new port which the Sultan intended to open in Soos, "with a view," as Mr. McNaught stated, "to compensate them against their severe losses," and as he requested me to assure the Moorish Minister that "the Company had been led into a false position through misrepresentation on the part of various parties" regarding the Soos country, I made known his language to Cid Mohammed Bargash, who replied that, in deference to my wishes, he would overlook the past, and would raise no objection, when the port was opened, to the Sûs and North African Company being placed on the same footing as other merchants. I have the honour to transmit copy of my reply to Mr. McNaught.

With regard to the Moorish prisoners, as I had received through Her Majesty's Consul at Mogador a letter from Mr. John Grace, a British merchant at that port, assuring me that one of them, named Hadj Hamdan, had not taken any part in landing the goods at Soos, but was an agent of Mr. Grace, and had merely endeavoured to collect debts due to the Sûs and North African Company, I addressed a letter to Cid Mohammed Bargash on the 23rd November, and again on the 17th December, asking for his release. My letters were transmitted to the Sultan by Cid Mohammed Bargash, but I have not as yet received a reply.

With reference to Article IV of the Treaty between Great Britain and Morocco, transmitted to your Lordship by the Sûs and North African Company,¶ in which it is stipulated that "British subjects shall have the right to travel and reside in the

* See despatch No. 78 of August 27, 1883.—J. H. D. H.

† See Inclosure 3 in Messrs. McNaught, Pearse, and Middleton's letter to Sir Julian Pauncefoot of the 7th December, 1883.—J. H. D. H.

‡ See Inclosure 1 in Messrs. McNaught, Pearse, and Middleton's letter to Sir J. Pauncefoot of December 7, 1883.—J. H. D. H.

§ Transmitted in Foreign Office despatch No. 42 of September 22, 1883.—J. H. D. H.

¶ See Inclosure 1 in Messrs. McNaught, Pearse, and Middleton's letter to Sir J. Pauncefoot of December 7, 1883.—J. H. D. H.

|| See Inclosure 5 in Messrs. McNaught, Pearse, and Middleton's letter of December 7, 1883.—J. H. D. H.

territory and dominions of the Sultan, subject to the same precautions of police which are practised towards the subjects or citizens of the most favoured nations," I have the honour to observe that Mr. Curtis, though duly warned by Her Majesty's Consul at Mogador, proceeded to the Soos country, both by land and by sea, without the knowledge of the British Consular authorities, nor accompanied by a guard, as required by the established Regulations, which have been published for the information of British subjects residing in or visiting Morocco.

With regard to that passage in the letter Messrs. McNaught, Pearse, and Middleton addressed your Lordship on the 27th November, in which your Lordship is urgently requested to obtain the release of the two Moorish servants of the Company now imprisoned in Morocco, by virtue of the clause in the Madrid Convention which stipulates that "no servant of any foreign subject shall be imprisoned without an inquiry being instituted before the Consul under whose protection he may be," this privilege could hardly, I think, be applicable to the Moorish servants of British subjects engaged to commit infractions of the laws of Morocco, especially as the Moorish Government had repeatedly urged that notice should be given to the agents of the Sûs and North African Company to withdraw from Soos, and to discontinue their illegal proceedings. Moreover, no notice had ever been given by Mr. Curtis to the Moorish Government, as required, that these Moors were in the employment of a British subject.

When I receive the reply of Cid Mohammed Bargash to the above-mentioned note I have addressed him, and which he has been requested to forward to the Moorish Court, I shall have the honour to transmit a translation to your Lordship; but I do not expect it for some weeks, as Kaid Boazza may now be at the city of Morocco or in Soos.

I have, &c.

(Signed) J. H. DRUMMOND HAY.

Inclosure 1 in No. 30.

Sir J. Drummond Hay to Cid Mohammed Bargash.

(Translation.)

(After usual compliments.)

Tangier, January 4, 1884.

THE Soos and North African Company have stated to Her Majesty's Government that when goods were landed by their agent, Mr. Curtis, at Erksheesh, in February of last year, it was done with the full knowledge and sanction of one of the Sultan's officers named Kaid Boazza, and that this officer even purchased of them goods, for which, it is alleged, he has not yet paid. They further state that the Commissioner or Agent sent by the Sultan, and some soldiers who accompanied him, made no objection on the ground that the traffic was illegal, but encouraged the Company's agents in the belief that the goods would be safe. Her Majesty's Government is of opinion that, if this be true, the Company's agents have been the victims of a deception practised on them by the officers or agents of the Sultan, which, if on inquiry it is proved, would lead Her Majesty's Government to alter their views as to the illegality of the proceedings of the said Company.

Her Majesty's Government have learnt also with concern that the agents of the Company, Hadj Hamdan and Jilaly, sent to collect debts due to them in Soos, have been imprisoned. These persons were not primarily responsible for infringing the fiscal regulations, as they were only obeying the orders of the British subjects, their employers, and therefore it would be a subject for satisfaction to Her Majesty's Government if the Sultan, actuated by his well-known feelings of clemency, would liberate these Moors, especially as they have now undergone a long term of imprisonment.

I request you to lose no time in requesting the Sultan to cause an inquiry to be made into the conduct of Kaid Boazza and of the Commissioner sent by His Majesty to Erksheesh, and to communicate to me the result, for the information of Her Majesty's Government.

(Signed) J. H. DRUMMOND HAY.

Inclosure 2 in No. 30.

Mr. White to Mr. McNaught.

Sir,

Tangier, November 5, 1883.

I AM directed by Sir J. Drummond Hay to acknowledge the receipt of your letter of the 30th ultimo, transmitting a copy of an Arabic document, with printed translation, purporting to be a Treaty or pact entered into by the agents of the Sûs and North African Company with various Moors of Ait Bou Amran, who are styled Chiefs of tribes in that district, engaging to grant to the said Company the sole right of trading with the inhabitants, and of forming establishments for that purpose, together with other privileges, and further an estimate of the losses alleged to have been sustained by the Company in consequence of the seizure and confiscation, by order of the Sultan, of the property which the agents of the Company had landed on the Soos coast, and putting forward a claim for compensation on account of the losses sustained.

In reply, I am directed to refer you to the letter which was addressed to the Company from the Foreign Office on the 22nd September last, declining to entertain the claims of the Company, and referring to the repeated warnings which had been given to them both by the Foreign Office and by public notices, and especially in the letter from the Foreign Office of the 12th December, 1881.

You state that the "Sûs and North African Company" had been misled by the assurances given to them by their agents at Mogador, Messrs. Curtis, Yale, Braner, and Broome, that the Soos country is not situated within the dominions of the Sultan of Morocco; but the Company could not have been ignorant that the Soos country forms part of the dominions of the Sultan, inasmuch as in the above-mentioned letter from the Foreign Office of the 12th December, 1881, they were distinctly informed "that the territories referred to in the prospectus are within the dominions of the Sultan of Morocco, and he (Lord Granville) therefore considers it his duty to warn the Company that they must not expect protection from Her Majesty's Government in the event of any measures being taken by the Sultan to prevent illegal trading along the coast under Agreements with native Chiefs, who have no authority to enter into them."

I am, &c.

(Signed) HERBERT E. WHITE

Inclosure 3 in No. 30.

Mr. White to Mr. McNaught.

Sir,

Tangier, November 7, 1883.

I AM directed by Her Majesty's Minister to acknowledge the receipt of your letter of the 2nd instant, requesting that the Moorish Government should grant permission to the "Sûs and North African Company" to carry on a legitimate trade of import and export at the new port, which the Sultan intends to open on the Soos coast.

Your letter has been communicated to the Moorish Minister for Foreign Affairs, Cid Mohammed Bargash, and his Excellency replied that when the port in question is opened, and the Sultan's Customs authorities are established there, timely notice will be given to the public through the foreign Representatives at Tangier, and that the "Sûs and North African Company," in common with the merchants of all nations who are in amity with Morocco, will be free to trade at that port, so long as they conform themselves with the established Regulations.

I am, &c.

(Signed) HERBERT E. WHITE.

No. 31.

Viscount Lyons to Earl Granville.—(Received January 18.)

(No. 37.)
My Lord,

Paris, January 17, 1884.

I HAVE the honour to inclose herewith to your Lordship, extracted from the "Journal Officiel" of this day, the Report of the Committee of the Chamber of Deputies upon the Bill to authorize the ratification of the Convention between France and Tunis of the 8th June, 1883.

[1446]

The text of the Convention is annexed to the Report.

The two most important Articles are the Ist and IInd.

By the Ist the Bey engages to effect all the administrative, judicial, and financial reforms which the French Government may deem useful.

By the IInd Article the French Government agrees to guarantee, at the time and on the terms which it shall consider the best, a loan for the purpose of converting or paying off the consolidated and floating debts of Tunis.

I have, &c.
(Signed) LYONS.

No. 32.

Earl Granville to Dr. Arpa.

(No. 2.)
(Telegraphic.)

Foreign Office, January 19, 1884, 3.15 P.M.

M. WADDINGTON informs me that Paï-Paï having withdrawn his appeal, orders have been given for his being set at liberty.

No. 33.

Dr. Arpa to Earl Granville.—(Received January 20.)

(No. 41.)
(Telegraphic.)

Tunis, January 20, 1884.

PAI-PAI has been released.

No. 34.

Mr. Reade to Earl Granville.—(Received January 21.)

(No. 1.)

My Lord,

London, January 21, 1884.

CERTAIN information which I have received from Tunis seems to me of such a nature as to justify me in placing it at once before your Lordship.

M. Cambon, before his recent departure from Tunis, personally informed General Benayad that all idea of an amicable solution of his claims against the Tunisian Government must be abandoned, and that the whole matter would consequently now be left to the appreciation of the arbitrators who would be nominated for the purpose by the two Governments. It follows from this that the nomination of the members of the arbitral Commission will now become imperative.

I venture, therefore, with all respect, to submit to your Lordship a few observations on this subject.

In the first place, I would express a hope that, all reason for delay being now at an end, the appointment of arbitrators may take place as soon as possible. Not only would further postponement inflict hardship on the claimants, but it would probably allow of the creation of new complications and give rise to an unfavourable impression on the minds of all British colonists in Tunis.

As regards the constitution of the arbitration, I trust I may be pardoned for suggesting the well-known name of Sir Adrian Dingli as one which could not fail to give universal satisfaction and be of invaluable assistance to any English colleague who might be selected. Sir Adrian Dingli knows well the idiom of the country, is conversant with the laws and customs involved in the contention, and is acquainted with all the languages which may be used in the course of the inquiry. Secondly, no objection would be made to him by the French, as, four years ago, he was nominated with the consent of the French Government along with a French colleague, on a mission of similar import in Tunis. Thirdly, the high estimation in which Sir Adrian Dingli is held amongst the Maltese would give every confidence as to the fairness of the proceedings; and, fourthly, his local knowledge of Tunis could not be easily surpassed.

In making these remarks, I am not alluding merely to the case of General Benayad, but to all the differences which will now have to be thus adjudicated upon.

I shall be deeply grateful to your Lordship if this question could be settled

definitively before my approaching return to Tunis, as its determination would materially lessen the difficulties of my position.

I have, &c.
(Signed) THOS. F. READE.

No. 35.

Earl Granville to Viscount Lyons.

(No. 78.)

My Lord,

Foreign Office, January 22, 1884.

I TRANSMIT to your Excellency herewith copy of a despatch from Dr. Arpa, the Acting British Consul-General at Tunis,* reporting an attempt made by a French officer, assisted by gendarmes, to arrest Carmelo Demech, a British subject.

The French officer appears to have interfered with the janissaries of Her Majesty's Consulate while in the performance of their duties, and to have acted with considerable violence and impropriety upon the occasion in question. I have to request your Excellency to call the attention of the French Government to this case, and to urge them to institute an inquiry into the conduct of the officer implicated.

I am, &c.
(Signed) GRANVILLE.

No. 36.

Mr. Pace to Earl Granville.—(Received January 23.)

My Lord,

Sfax, Regency of Tunis, January 15, 1884.

I HAVE the honour to bring to your Lordship's knowledge that, at the fatal Mussulman insurrection of this town, I have been struck by a severe and irreparable misfortune. My unfortunate and beloved son fell a victim to the Arab atrocities, and the interpositions of friends sufficed not to fill the vacuum left by his untimely and cruel loss, he being the relief and aid of an aged father reduced to misery, whom the bitterness of life have rendered infirm, and in whose heart peace has not since harboured.

Under such circumstances, and in this painful state of things, a Petition was by me presented to Mr. Thomas F. Reade, Her Britannic Majesty's Consul-General at Tunis, which Petition was transmitted to Commander Tryon, of Her Majesty's ship "Monarch," and on this gentleman assuring himself of my deplorable position, kindly assured me that he would lend his good offices before the Commission of Inquiry, when the latter decided that this affair concerned France.

Through the British authority at Sfax I consequently petitioned Count de Marquessac, Commander of the "Reine Blanche," who kindly promised me to bring this unhappy affair under the consideration of M. Roustan, the then French Minister Resident at Tunis.

About eighteen days after the inquiry had come to a close, Count de Marquessac landed again at Sfax, and on meeting me in the street he stopped me and informed me that my affair had been discussed, and decided that I was to receive a compensation at Sfax.

Six months had elapsed since Count de Marquessac's departure without receiving anything, and learning he was at Paris I wrote to him that I had not as yet touched the promised compensation, and in a letter written to M. Mattei, the then French Vice-Consul here, he informed him that I had but to go to Tunis, see my Consul, who would speak to the Minister, and that I would then be immediately paid, as my affair was in his hands.

A free passage having been granted me, I accordingly went to Tunis, and presented to Mr. Reade a Petition containing the reply given by Count de Marquessac to M. Mattei. Said petition was transmitted in authentic copy to the French Minister, and the latter forwarded it to the Bey's Minister, who replied that he interfered not in what had been decided by the Commission of Inquiry.

On the 18th October, 1883, I had the honour to submit the aforesaid unhappy affair to your Lordship, but fearing my letter has been miscarried I humbly beg to renew my petition, beseeching your Lordship's munificence and assistance.

Trusting, therefore, that your Lordship will be pleased to take into consideration my miserable position, and will kindly order that measures be taken with the French

• No. 3.

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authorities at Tunis to alleviate the pains of an aged and bereaved father of a numerous family, by the compensation awarded me.

I have, &c.
(Signed) GIUSEPPE PACE.

No. 37.

The Law Officers of the Crown and Dr. Deane to Earl Granville.—(Received January 23.)

My Lord,

Royal Courts of Justice, January 22, 1884.

WE are honoured with your Lordship's commands signified in Sir J. Pauncefote's letter of the 30th November last, stating that he was directed to transmit to us the papers relative to the Act agreed upon by the Finance Commission for the settlement of the Tunisian debts, signed at Tunis on the 23rd March, 1870, and to the new financial régime which it would appear that France contemplated establishing in Tunis in lieu of that now existing under that Act in the Regency.

That we should perceive that your Lordship had been in communication with the Italian Ambassador at this Court upon that subject, and that the Italian Government were desirous of knowing the views of Her Majesty's Government with respect to the proposed action of the French Government. That our attention was directed to the following documents: (1) Act of Finance Commission; (2) Mr. Reade's No. 40 and inclosure; (3) Mr. Plunkett's No. 500 and inclosure; (4) Mr. Plunkett's No. 631; (5) Article VII of the Treaty between France and Tunis of the 12th May, 1881; (6) Lord Granville to Lord Lyons, two despatches, 20th May, 1881; and "Tunis No. 6 (1881)," pp. 52 and 55, 56.

That in the absence of more definite information and of any direct proposals from the French Government up to the present moment upon that subject, your Lordship was scarcely prepared to express a formal opinion upon the bearings of the contemplated measure; but as the question raised by the British members of the Finance Commission would now arise, Sir J. Pauncefote was to request that we would favour your Lordship with our opinion as to whether, under the existing arrangement, the Bey of Tunis does not possess the power to abolish the Finance Commission *proprio motu*, on payment in full of the debt, in the manner therein stipulated, although it was provided that the debt "sera liquidée par la Commission." (See Act of Finance Commission, p. 502.)

That that appeared, from Mr. Plunkett's despatch No. 631 of the 18th September last, to be the contention of M. Billot.

In obedience to your Lordship's commands we have the honour to report—

That by the Act of 1870 for the settlement of the Tunisian debts it is provided that the obligations issued thereunder should enjoy, "jusqu'à leur rachat intégral," precedence over future debts contracted by the Tunisian Government.

They were each to have attached thirty half-yearly coupons, and those which were not "amorties" at the expiration of the fifteen years were to be exchanged for new obligations. It was further provided that if the revenues hypothecated exceeded 6,500,000 fr., but were less than 8,000,000 fr., the difference should be employed "à l'amortissement de la dette par la voie du rachat au cours du jour;" and the obligations bear upon the face of them a reference to the Act of 1870, and to the fact that they are to be redeemed "par voie du rachat."

If the mode of redemption thus provided for be carried out, and the bonds completely extinguished, we think it would not be material that this should be effected through the Financial Commission. But it appears to Her Majesty's Government that the creditors are entitled to require that the mode of redemption provided for by the Act of 1870 should be pursued.

We are not sure that we completely understand what the exact method pointed out is, and we do not therefore feel competent to express an opinion with regard to it.

We have, &c.
(Signed) HENRY JAMES.
FARRER HERSCHELL.
J. PARKER DEANE.

No. 38.

Sir J. Drummond Hay to Earl Granville.—(Received January 24.)

(No. 5.)

My Lord,

Tangier, January 17, 1884.

A FRENCH citizen, named Count de Chavagnac, left Tangier on the 13th instant in the British steamer "Jackal" for Peñon de la Gomera, a Spanish garrison on the coast of Reef.* Count de Chavagnac was accompanied by a Reefian, named Hadj Mohammed Khamleesh, brother of Hadj Hamoo Khamleesh, a Chieftain of the Lamarty tribe. This latter person had been imprisoned by the Sultan at Fez for two years, on account of turbulent conduct, and Count de Chavagnac, on a visit to that capital in November last, obtained his release from the Governor of Fez.

When I was at the Court in 1882, a Petition was addressed to Lady Drummond Hay on behalf of said prisoner, and, at her intercession, the Sultan promised that he would release the Reefian Chieftain on his arrival at Fez; but finding on my return to Tangier from my late visit to England, that the Khamleeshes had sought French protection, and that Hadj Mohammed Khamleesh had been appointed semsar, or broker, of Count de Chavagnac, I withdrew from further interference. I will not trouble your Lordship with a report of a question that has arisen with the French Legation on account of my past action regarding the prisoner Hadj Hamoo Khamleesh, it not being of much consequence or bearing upon what I now have the honour to relate.

In the mountains of the Reef tribe of Urriagol,† auriferous quartz and also silver veins are known to exist. The Khamleeshes communicated this discovery to Count de Chavagnac, and at his request, several loads of these minerals were brought to Tangier. These, it would appear, were taken to Paris by Count de Chavagnac and Khamleesh, and it is alleged that the gold ore proved to be of the greatest value. Count de Chavagnac, it is said, made this known to the French Government, and orders were sent to M. Ordega to place Hadj Mohammed Khamleesh under protection as the semsar, or broker, of Count de Chavagnac. The latter, it is said, entered into an arrangement, through the Khamleeshes, with a Reefian Chief named Haj Aly, who is Governor or Sheikh of part of Urriagol, for the purchase of the district where the auriferous mineral is found; this person came to Tangier at the end of last month to effect the sale of the land, and it was decided that Count de Chavagnac, accompanied by Hadj Mohammed Khamleesh, should proceed to the Reef to work the mines, and that he would be received on the coast near Peñon de la Gomera by a body of armed Reefians, who would escort him to Urriagol.

On obtaining information regarding the intention of Count de Chavagnac, I called upon Cid Mohammed Bargash, and made known to him my apprehensions that very serious questions might be brought about if this Frenchman entered the wild country of the Reef, where the Sultan's authority is of a very vague character, and I suggested that he should lose no time in making known to M. Ordega that, if Count de Chavagnac proceeded to the Reef without the authority of the Sultan, and without an escort provided by the Government, as required by Treaty stipulations, he eschewed, in the name of the Sultan, all responsibility for loss of life or property. I submitted to his Excellency another point which I considered required the Sultan's serious consideration, viz., if the Urriagol Mountains contain, as it is alleged, these valuable minerals, which, it would appear, have drawn the attention of the French Government, whether it might not hereafter lead to a desire on the part of the French to annex the Reef, or a portion of it, whenever a pretext presented itself, and such a pretext, I added, could always be found. I requested Cid Mohammed Bargash to keep my language secret from the French, but to make it known to the Sultan.

Cid Mohammed Bargash called on the following day on M. Ordega, and protested against the visit of Count de Chavagnac to the Reef, but it appears that M. Ordega replied that he could not prevent a French citizen from going where he pleased, and he requested that an escort should be provided for the Count. This request Cid Mohammed Bargash declined to accede to, as great danger would be incurred by a Christian penetrating into the Reef country.

In the meantime, the Sultan had also received tidings of Count de Chavagnac's intention, and steps appear to have been taken by His Majesty to check his entry into Reef. A person who was on board the "Jackal" with the Count, says that no Reefians had assembled to receive him on the coast before reaching Peñon de la Gomera, and that, on landing at the Spanish garrison, the Governor offered hospitality to the Count,

* Lat. 35° 10' N., long. 4° 10' W.

† Lat. 35° N., long. 3° 40' W., near Spanish garrison of Alhucemas.

but said he could not assist him to proceed into the interior. A Moorish officer at Peñon declined to take any steps to facilitate the passage of Count de Chavagnac's baggage, warning him that the Moorish Government would not be responsible if it was pillaged on entering the Reef.

It is further reported that some armed Reefians assembled on the mainland opposite Peñon, and declared that they would not allow the Count to pass, unless he was the bearer of a letter from the Sultan authorizing his entry into the Reef.

Rumours are rife also that some fighting had taken place in the Urriagol district about these minerals, and that four men had been killed; also that the inhabitants of the Lamarty district, where the Khamleeshes reside, informed the family of the Chief Hadj Hamoo Khamleesh that if any Christians entered the Reef, and brought trouble into their country, they would destroy their houses and property.

As Count de Chavagnac's proceedings, whether he succeeds in penetrating into the Reef, or is prevented doing so, may produce untoward questions between the French and Moorish Governments, I have thought it my duty to report all that I have heard on this subject up to the present time.

I have, &c.
(Signed) J. H. DRUMMOND HAY.

No. 39.

Earl Granville to M. Waddington.

M. l'Ambassadeur,

Foreign Office, January 24, 1884.

I HAVE the honour to transmit to your Excellency herewith a copy of a letter which I have received from the Franco-English Tunisian Esparto Fibre Company,* setting forth the particulars of a Concession granted by the Bey of Tunis in 1881 to a French citizen, the late M. René du Plessis, according to him the exclusive right to cut esparto grass in certain districts in the south of Tunis, and of constructing a railway or tramway, at his discretion, for the conveyance of the produce to a point on the sea-coast named Shira, the said Concession having been subsequently sold by M. du Plessis to Mr. E. G. Hough, of London, from whom the above-named Company subsequently acquired it by purchase.

It is represented in the letter from the Company that one of the most important features in the Concession was the right to construct the railway or tramway, as before referred to, which could alone enable the concessionnaire to realize the objects of the original grant.

It appears that the Directors, having instituted the necessary inquiries as to the form of railway most desirable for the transport of their merchandize, decided that a light narrow-gauge surface railway or tramway, worked by small locomotives, or by mules, was amply sufficient, and a contract for its construction was accordingly entered into by the Company.

The plans for the proposed railway having been submitted on the 2nd February of last year to the French Minister Resident at Tunis, with a request for the authorization for its construction in accordance with the terms of the Concession, the Company's representative was informed that its construction could not be allowed unless they were prepared to adopt a wider gauge and road of such substantialness as would far exceed the requirements of the Company's transport, and would involve them in a ruinous and wholly unremunerative expenditure.

Notwithstanding certain negotiations which thereupon ensued between the Company and the Minister Resident, the matter remains as above stated, the refusal to allow the tramway to be constructed resulting, as it is represented, most disastrously to the Company, causing not only the loss of its profits, but serious depreciation in the value of its capital, and the abandonment of an advantageous arrangement for the construction of the tramway.

I have taken advantage of the presence in this country of Mr. Reade, Her Majesty's Agent and Consul-General in Tunis, to invite his remarks on the Company's statements, and your Excellency will perceive from his letter, of which I annex a copy,† that whilst verifying the facts as represented, he suggests that much further trouble might be obviated by the French authorities at once allowing the Company to carry out their scheme as proposed and in accordance with the terms of their Concession.

* See Part V, No. 244.

† Ibid., No. 263.

In transmitting these documents to your Excellency, I have the honour to request that you will submit them to your Government, and request that they will take such steps as may be necessary with a view to the arrangement of this matter with as little delay as possible, in accordance with the understanding recently arrived at for the settlement of British claims.

I have, &c.
(Signed) GRANVILLE.

No. 40.

Earl Granville to M. Waddington.

M. l'Ambassadeur,

Foreign Office, January 24, 1884.

I HAVE the honour to acknowledge the receipt of your Excellency's letter of the 16th instant, in which you are good enough to inform me that the Maltese Paï-Paï having withdrawn his appeal, the President of the French Republic has given orders for his being set at liberty. I have to request that your Excellency will express to the French Government the satisfaction of that of Her Majesty at this measure.

I have, &c.
(Signed) GRANVILLE.

No. 41.

Sir S. Lumley to Earl Granville.—(Received January 25, 6 P.M.)

(No. 1.)

(Telegraphic.)

Rome, January 25, 1884, 3.30 P.M.

PROTOCOL signed to-day by Italian Minister for Foreign Affairs and French Ambassador attesting abandonment by Italian Government of Consular jurisdiction in Tunis.

No. 42.

Mr. Reade to Earl Granville.—(Received January 26.)

(No. 2.)

My Lord,

London, January 26, 1884.

I HAVE, in accordance with the request conveyed to me by Sir Julian Pauncefote, perused and considered the papers relating to the case of Giuseppe Pace, who claims indemnity on account of the murder of his son, at the time of the disturbances which occurred at Sfax in July 1881, prior to the bombardment of that town by the French.

I have, on two occasions, transmitted this man's claims to the French authorities, and they have been in each instance rejected, on the ground that the misfortune was caused by the imprudence of the deceased, who returned on shore after the general exodus of Europeans had taken place, and in this way met with his death.

It must also be remembered that the claim in question was put forward, along with his other pretensions, before the Sfax Indemnity Commission, and that a certain amount of compensation was awarded him *en bloc*.

Under these circumstances, I have not felt it incumbent on me to do more than I have done in the matter.

The man Pace is the principal pilot of Sfax, and not apparently in indigent circumstances. He seems also inclined to trade somewhat on his son's death.

It will consequently, I think, appear to your Lordship that the claim is not one which can be officially supported. If Pace, however, can indicate the actual assailant or murderer of his son he can of course prosecute him in accordance with Tunisian law.

I have, &c.
(Signed) THOS. F. READE.

Sir J. Drummond Hay to Earl Granville.—(Received January 28.)

(No. 6. Confidential.)

My Lord,

Tangier, January 20, 1884.

WITH reference to my despatch No. 5 of the 17th instant, reporting that the French citizen, Count de Chavagnac, had proceeded by sea to the Spanish garrison of Peñon de la Gomera, with the intention of going thence overland to the district of Urriagol, in the Reef country, where he had purchased land in which, it is alleged, auriferous quartz of great value is found in large quantities, I have the honour to inform your Lordship that Cid Mohammed Bargash has imparted to me confidentially, that he had addressed a letter to M. Ordega, before the departure of the Count, protesting against his going into the Reef country, where the Sultan's power of control over the inhabitants is of a very slender character, and where there would be little or no security for the lives or property of Europeans.

To this letter Cid Mohammed Bargash received a reply from M. Ordega, insisting that his Excellency should furnish Count de Chavagnac with letters of recommendation to the Chiefs in Reef and with an escort, adding that he would hold the Moorish Government responsible for the safety of Count de Chavagnac. M. Ordega quoted the Article of the Treaty where it is stipulated that foreign subjects shall have the right to travel and reside in territories of the Sultan,* and stated that if the Moorish Government refused to adhere to the strict wording of this Article, it would be equivalent to an admission that the Reef country is not within the dominions of the Sultan.

Cid Mohammed Bargash informed me that, on receiving this reply, he called in person on M. Ordega, and explained that there are many parts of the Sultan's dominions, such as the Reef, the Atlas Mountains, the Zaïr district, and the interior of Soos, where the lives of Europeans would be placed in the greatest jeopardy if they were allowed to travel in them; that if permission was granted to Count de Chavagnac to travel in the Reef, where it was probable he would lose his life, Englishmen and other foreigners would demand the right also of travelling there, and in other districts of Morocco, where the Sultan had little or no power of control over his wild subjects, that most serious questions might consequently be produced with foreign Governments on account of the murder, robbery, or other outrage committed on foreign travellers, and that he therefore absolutely refused to accede to M. Ordega's request that he should provide an escort for the Count, or give him letters of recommendation to the Chiefs in Reef. Cid Mohammed Bargash further told M. Ordega that he considered the Reefian inhabitants near Peñon were justified in having refused to allow Count de Chavagnac to proceed to Urriagol.

There the matter rests, but a reference has, I believe, been made to the Sultan.

Cid Mohammed Bargash repeatedly begged me not to divulge that he had made known the language held by Mr Ordega.

I have, &c.
(Signed) J. H. DRUMMOND HAY.

No. 44.

Sir J. Drummond Hay to Earl Granville.—(Received January 29.)

(No. 7. Secret.)

My Lord,

Tangier, January 21, 1884.

HAVING seen a report in the public journals that the Shereef of Wazan, Hadj Abdesselam, had lately obtained letters of naturalization as a French citizen, and having meet the Shereef yesterday at a hunting party, I inquired whether there was any truth in the report. He said it was perfectly true. On my expressing surprise that, in his exalted position in this country as a spiritual chief, venerated not only by the population of Morocco but by the inhabitants of Algeria, he should have sought the protection of a foreign Government, he replied that the Sultan, Muley Hassan, and his officers did not show that consideration which was due to him and to his dependants, and which the late and former Sultans had shown to himself and his ancestors. He said that he had rendered important services to the Sultan in quelling rebellions by acting as mediator, for which services he had not even received His Majesty's thanks.

On my remarking to the Shereef that I apprehended that in his position of Chief

* "Subject to the precautions of police."—J. H. D. H.

of the powerful sect of Cid Taibi, and a Shereef of direct descent from their Prophet, he would lose caste in the eyes of the Mahommedans by his present anomalous position, he replied that no one would blame him except officials, for such, he added, is the state of misgovernment and injustice throughout the country that the population in general are disposed to seek the protection of foreign Ministers or Consuls, and that if the French were to invade Morocco they would meet with little or no resistance.

I observed that it appeared to me his conduct was unpatriotic, and that he had set a very dangerous example to his co-religionists, which might lead to revolution and bring about the downfall of all government in Morocco.

This morning I called on Cid Mohammed Bargash, and communicated to him the language held to me by the Shereef. His Excellency informed me, on promise of secrecy, that a letter had been addressed to him by M. Ordega, making known that he had received instructions from Paris to inform the Sultan that the Shereef Hadj Abdesselam had been taken under French protection on account of services he had rendered to France in frontier questions with the tribes of Morocco, and that, in accordance with the stipulation in Article XVI of the Madrid Convention, they had the right of extending protection to the Shereef or other Moorish subjects who may have rendered any important service to France.

Cid Mohammed Bargash informed me that he called upon the French Minister and pointed out the very bad effect which would be produced throughout Morocco by this act of the French Government, and added he was persuaded that the Sultan would never consent to acknowledge the Shereef of Wazan as being under the protection of France or of any other foreign Power.

Mr. Ordega replied that, whether the Sultan consented or not, the French Government would not recede from their decision, and he intimated in ambiguous language that a refusal might ultimately lead to a rupture of relations. M. Ordega insisted on Cid Mohammed Bargash replying to his letter at once, adding that the decision of the French Government was based upon Treaty, and therefore no question regarding their right would be admitted.

Cid Mohammed Bargash informed me that he was hesitating as to the course he should adopt. If, he said, the Sultan replies, as he is sure to do, that he cannot acknowledge the right of the French Government to protect the Shereef of Wazan, it might give rise to a tension of relations, or even to an ultimatum; he therefore thought it would be better that he should reply to M. Ordega in the same language as he had held to him; but at the same time to say that, if the demand of the French Government was based upon Treaty right, he was not prepared to take the very serious step of refusing to admit that which was ceded by Treaty.

Cid Mohammed Bargash said he felt himself in such an embarrassing position that he was much disposed to send in his resignation to the Sultan, but he feared that it would never be admitted. He told me that he felt the worst apprehensions regarding the continuance of peaceful relations with France, and said that he feared that there was some ulterior object lurking in the mind of the French Government, though M. Ordega had lately assured him he desired to uphold the independence of the Sultan and integrity of his dominions.

I observed I could not suppose that the French Government, whose hands were just now full in the East, would seek to find a Kroumir tribe, or like pretext, in Morocco; but that both the Sultan and his Ministers must be on their guard against giving any just ground, or even plausible pretext, for a quarrel, and that concession in questions which were not of vital importance, and which did not affect the Sultan's independence or the integrity of his dominions, had better be granted.

With reference to the language of the Shereef, and to his anomalous position as a French-protected citizen, I am inclined to think there has been some secret understanding between him and the French Government, or their Representative, as to the future, in case of revolution or other event which might bring about the downfall of the Sultan. The Shereef Hadj Abdesselam is of Royal descent, and a distant relative of the Sultan. Hopes may have been held out to him that his pretensions to the throne under certain contingencies would be supported by France. Notwithstanding the Shereef's opinion that his acceptance of French protection will not injure him in the eyes of the Mahommedans of Morocco, I believe he has lost, and will lose, much of his prestige thereby, but that some secret intrigue has been at work I have little doubt.

I have, &c.
(Signed) J. H. DRUMMOND HAY.

Messrs. McNaught, Pearse, and Middleton to Earl Granville.—(Received January 29.)

My Lord,

9, Crosby Square, E.C., January 28, 1884.

WE now have the honour to inclose, for your Lordship's perusal, a copy of the pamphlet we have previously mentioned to your Lordship relating to the treatment received at the hands of the Sultan of Morocco, by the agents and servants of the Sûs and North African Trading Company (Limited), at Erksheesh last year.*

When we last had an interview with Sir Julian Pauncefote we were informed that full inquiries would be made into the question of the robbery of our stores and the imprisonment of our servants in the city of Morocco; but, although some six weeks have elapsed, we have no information that any steps have been taken to procure us that redress we seek from His Majesty the Emperor of Morocco.

Craving your Lordship's particular attention to the facts of the case, as fully set forth in the pamphlet inclosed, we have, &c.

(Signed) McNAUGHT, PEARSE, AND MIDDLETON,
Agents to the Sûs and North African Trading Company (Limited).

* Not printed.

Viscount Lyons to Earl Granville.—(Received January 30.)

(No. 56.)

My Lord,

Paris, January 29, 1884.

I HAD the day before yesterday the honour to receive your Lordship's despatch No. 78 of the 22nd instant, directing me to make a representation to the French Government respecting the proceedings of a French officer at Tunis with regard to two Maltese, Carmelo Demech and Giuseppe Vella.

I inclose a copy of a note which I have addressed in consequence to the French Minister for Foreign Affairs.

I have, &c.
(Signed) LYONS.

Inclosure in No. 44†.

Viscount Lyons to M. Ferry.

Paris, January 29, 1884.

M. le Président du Conseil,

IT appears from a report received by Her Majesty's Principal Secretary of State for Foreign Affairs from Dr. Arpa, Acting British Consul-General at Tunis, that it was stated to him on the 21st of last month by two British subjects, Giuseppe Vella and Carmelo Demech, that on the day before a French officer, whose name they did not know, stopped to speak to a French private outside the town gate, at a short distance from the same; that Giuseppe Vella, thinking that the officer required a carriage, called a carriage driver close by; that the officer immediately slapped Vella's face; that Carmelo Demech, upon seeing this, asked the officer why he had done so, whereupon he met with the same treatment, the officer slapping him also in the face; that Demech then caught hold of the officer, who caught hold of him, and with the assistance of a French gendarme and a Capitaine de Gendarmerie would have arrested him but for the action of several Maltese present and two British janissaries, against whom they struggled to the very door of the Consulate.

These statements seem to be confirmed by sworn depositions made on oath before the Acting Consul-General by Vella, Demech, and other witnesses of the occurrences.

Dr. Arpa addressed a communication on the subject to M. Cambon, the French Resident Minister, who, however, replied that he did not consider the incident to be of a serious character.

Her Majesty's Government are nevertheless of opinion that, *prima facie*, it appears that the French officer interfered with the janissaries of Her Majesty's Consulate in the performance of their duties, and acted with considerable violence and impropriety on the occasion. They have consequently instructed me to bring the case to the notice of your Excellency, and to ask the French Government to institute an inquiry into the conduct of the officer in question.

I have, &c.
(Signed) LYONS.

No. 45.

Earl Granville to Dr. Arpa.(No. 3.)
Sir,*Foreign Office, January 30, 1884.*

WITH reference to my despatch to Mr. Reade No. 22 of the 13th November last, I transmit to you herewith, under flying seal, for your information, a letter which I have caused to be addressed to Mr. Giuseppe Pace, informing him that his claim to compensation for the murder of his son in 1881 cannot, in view of the circumstances under which it took place, receive official support from Her Majesty's Government.*

I am, &c.

(Signed) GRANVILLE.

No. 46.

Sir J. Pauncefote to Mr. Pace.

Sir,

Foreign Office, January 30, 1884.

I AM directed by Earl Granville to acknowledge the receipt of your letter of the 15th instant, claiming compensation on account of the murder of your son, at the time of the disturbances at Sfax in July 1881.

It appears that Mr. Reade has twice submitted your claims to the French authorities, and that they have in each instance been rejected on the ground that the misfortune was caused by the imprudence of the deceased, who returned on shore after the general exodus of Europeans had taken place, and in this way met his death.

I am also to remind you that this claim was put forward, together with your other claims, before the Sfax Indemnity Commission, and that a certain amount of compensation was awarded to you in full satisfaction.

Under these circumstances, Lord Granville cannot afford official support to your claim; but I am to point to you that, if you can identify the actual assailant or murderer of your son, it is open to you to prosecute him before the competent Tribunal.

I am, &c.

(Signed) JULIAN PAUNCEFOTE.

No. 47.

Mr. Reade to Earl Granville.—(Received January 31.)

(No. 3.)

My Lord,

London, January 31, 1884.

I HAVE the honour to transmit, for your Lordship's consideration, a communication I have received from Mr. Broadley, General Benayad's counsel, concerning the improbability of any amicable arrangement being effected in the matter of his pending claims.

I have since heard from Mr. Broadley that a telegram has reached him, subsequently to the date of his letter, to the effect that the Baron D'Estournelles has again proposed to open negotiations. Mr. Broadley has telegraphed for fuller information on this subject, but I am personally very doubtful whether, after M. Cambon's explicit declaration to General Benayad that the matter must be left to arbitration, any satisfactory result can be expected.

I have, &c.

(Signed) THOS. F. READE.

Inclosure in No. 47.

Mr. Broadley to Mr. Reade.

Sir,

12, King's Bench Walk, Temple, E.C., January 29, 1884.

I HAVE the honour to inform you that I have this day received a telegram from my client General Benayad, in which he states that there is no possibility of any amicable settlement being arrived at in the matter of his pending claims against the Tunisian Government. In fact, M. Cambon told him in explicit terms some days ago

* No. 46.

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that nothing now remains for the parties but an adjudication on their differences by arbitrators.

I hasten to communicate this to you, as General Benayad is greatly prejudiced by delay, and he is naturally anxious that his adversaries should no longer be able to plead the existence of supposed negotiations as a reason for deferring the arbitration he has prayed for.

I trust, therefore, you will kindly place the state of affairs before Her Majesty's Government.

I am, &c.
(Signed) A. M. BROADLEY.
(Pro General Hamida Benayad.)

No. 48.

Earl Granville to Sir J. Drummond Hay.

(No. 1.)

Sir, *Foreign Office, January 31, 1884.*
I HAVE received your despatch No. 5 of the 17th instant, upon the subject of the proceedings of the Comte de Chavagnac, a French subject, and his projected visit to the Reef country, and I have to state to you that your action in the matter, as reported in your above-mentioned despatch, is approved by Her Majesty's Government.

I am, &c.
(Signed) GRANVILLE.

No. 49.

Sir J. Pauncefote to Mr. Reade.

Sir, *Foreign Office, January 31, 1884.*
EARL GRANVILLE has had under his consideration your Memorandum dated the 15th instant, on the subject of a prospective change in the personnel of Her Majesty's Agency and Consulate-General in Tunis, in consequence of the cessation of the duties which have hitherto devolved upon Dr. Arpa as British Consular Judge.

I am now to state to you, in reply, that Lord Granville is of opinion that this question had better remain for the present in abeyance, but that Dr. Arpa, being now relieved of official business should, until further notice, render you all the assistance in his power in the discharge of your Consular functions, which, until the settlement of all British claims is effected, cannot but be considerable.

As soon as these, as well as those cases still pending before the Courts are disposed of, the question of reducing the establishment can be considered.

I am, &c.
(Signed) JULIAN PAUNCEFOTE.

No. 50.

Mr. Surtees to Earl Granville.—(Received February 1.)

My Lord, *72, Bishopsgate Street Within, London, January 31, 1884.*
I HAD the honour to submit to your Lordship on the 7th January, 1884, a claim upon the French Government for wrongful interference with the operations of the Franco-English Tunisian Esparto Fibre Supply Company, Limited, in Tunis.

In connection with this, I am desired by the Directors to hand your Lordship copy of a letter addressed by me to his Excellency M. P. Cambon, which will show your Lordship the present position of affairs.

I have, &c.
(Signed) R. W. SURTEES, Secretary.

Inclosure in No. 50.

Mr. Surtees to M. Cambon.

Sir,

72, Bishopsgate Street Within, London, January 31, 1884.

DR. MATTEI had the honour of an interview with your Excellency on the 21st January respecting the opposition of the French administration in Tunis to the construction of the tramway of the Franco-English Tunisian Esparto Fibre Supply Company, Limited; on which occasion your Excellency was good enough to forward to the Directors of this Company the following proposal, viz. :—

On condition that the Company withdraws the claim for damages (now in the hands of the British Foreign Office), you would at once send instructions to Tunis withdrawing the prohibition to the construction of the tramway, and allow the Company to go on with the laying down thereof, in a manner suitable to the requirements of their operations. I have now the honour to inform your Excellency that at a meeting of the Directors, convened for the purpose, it was unanimously resolved that the thanks of the Board should be given to your Excellency for the offer made through Dr. Mattei; but considering that the objects of the Company, as detailed in the prospectus issued to the public, have been completely frustrated by the action of the French authorities in Tunis, thereby entailing very severe losses, the Directors cannot, in justice to the shareholders, withdraw their claim for compensation on the ground of a removal of the restrictions hitherto enforced.

I have, &c.
(Signed) R. W. SURTEES, Secretary.

No. 51.

Memorandum by Mr. Villiers.

IN April last M. Bertrand, the French Consul at Mogador, accompanied by the Rev. Mr. Ginsberg, M. Zerbib, "censal-interprète" to the French Consulate, and others, camped out in the neighbourhood of a property the possession of which was in dispute between M. Zerbib and Mr. Ratto, a British subject.

An insignificant local disturbance having arisen on the evening of M. Bertrand's arrival, M. Zerbib, with others, came out of camp and arrested two servants employed by M. Ratto, on the charge of breaking into the French camp for the purpose of robbery. These two men, both cripples, had been working in Mr. Ratto's fields, had taken no part in the disturbance, and bore good characters. They were, however, beaten, abused in the French camp, and the next morning sent into the town of Mogador, where, on the demand of M. Bertrand, they were thrown into prison by the Governor.

No notice of the arrest of these men was given to Mr. Payton, Her Majesty's Consul at Mogador, as should have been done under Article IX of the Madrid Convention, but the circumstances having come to his knowledge, he addressed a friendly remonstrance on the subject to his French colleague.

In the correspondence which ensued Mr. Payton's language was consistently moderate and courteous, but M. Bertrand adopted a tone little conducive to the maintenance of friendly relations between the British and French Consulates, and made grave aspersions on the character of Mr. Ratto. Finally, M. Bertrand declared: "Que tant que je n'aurai pas la réparation à laquelle je crois avoir droit, aucune suite ne sera plus donnée jusqu'à nouvel ordre, aux réclamations Anglaises qui seront présentées au Consulat de France à Mogador."

The original accusation against Mr. Ratto's servants was, as mentioned before, an attempt to rob the French camp, but it was subsequently understood from the French Minister at Tangier that the proceedings of the French Consul were chiefly based upon the alleged fact of Mr. Ratto and his people having trespassed upon land belonging to a person under French protection, and having refused to give it up.

It appears that M. Bertrand was desirous of supporting the claim of M. Zerbib to the property in question, as, on the day after the occurrence above related, he requested Mr. Payton's "bienveillant intérêt sur une réclamation que M. Zerbib vous présentera;" to which Her Majesty's Consul very properly replied that he considered the dispute was entirely one for settlement by the local Tribunals. But up to the present time no steps whatever have been taken by M. Zerbib to make good his claim, and Mr. Ratto, who

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has for a long time been in occupation, with the full consent of the Governor of the district, remains in undisputed tenancy.

Full details of the incident were transmitted to Her Majesty's Embassy at Paris, and representations in the matter were addressed to the French Government, with the result that the French Consular Court at Mogador was reopened to British suitors.

Also, at the written request of M. Bertrand, Mr. Ratto's servants have been released after an imprisonment of over six months, but without ever having been brought to trial, or any communication having been made to the British Consulate.

The circumstances, however, connected with the whole affair have been of public notoriety in and around Mogador, and Her Majesty's Consul feels that his official position has been impaired in the eyes of the Moorish authorities and people, and of his colleagues, by the attitude which M. Bertrand adopted; while Mr. Ratto, for whose respectability Mr. Payton vouches, considers himself entitled to some "amende" for the manner in which his character has been assailed.

Mr. Ratto has, moreover, preferred a claim to compensation as due not only to his servants but also to himself for the loss of their services and the supply of food to them while in prison. Good grounds exist for such a claim from the hardship inflicted on the men by their protracted imprisonment, and the fact that no specific charge was ever brought forward against them; the accusation of their intending to rob the French camp not having been persevered with, and that of trespass resting solely on the assumption, which has not been upheld, that M. Zerbib was the rightful possessor of the property. The men, however, having been imprisoned at the demand of the French Consul, application for compensation cannot justly be made to the Moorish Government, and it rests, therefore, with the French Government to decide whether they can take the claim into favourable consideration, and award such a sum to Mr. Ratto and his servants as would meet the requirements of the case.

It may be mentioned that Mr. Ginsberg, who has been taken under French protection, is a well-known character, from whom British protection was withdrawn on account of the complaints made against him by the Moorish authorities.

At Saffi, in December last, M. Allard, the French Consular Agent at that port, attempted to arrest the Governor of the town, an aged man who holds a high position at the Shereefian Court, and publicly insulted him, calling him "a son of a dog," because his demands in regard to a pending case were not complied with.

Had not the Governor acted with extreme prudence, an uproar would have ensued, much indignation being manifested at the treatment which he had received. As it was, these proceedings caused great excitement amongst the natives, and also amongst the European community, who considered M. Allard's conduct as very imprudent, and as placing them in great jeopardy.

Satisfaction was promptly given in this case, for, on the facts being brought to the notice of the French Minister at Tangier, he took immediate steps for the dismissal of M. Allard.

In the early part of last year, at Tangier, M. B. Constant, a French artist, was passing the house of Mr. Abensur, the British Interpreter, and finding the street blocked by donkeys, struck the servant of the Interpreter, who was standing at his master's door, because he did not instantly clear the road, although he had nothing to do with the obstruction.

Subsequently, M. Montfraix, the French Secretary of Legation, accompanied by M. Bertrand, the Chanceller, entered the domicile of the British Interpreter with the avowed intention of chastising the servant. Mr. Abensur was not at home, and the servant did not appear.

No complaint was made to the British Legation, as M. Montfraix afterwards apologized, and said he hoped the matter would be dropped.

In the month of July last the cavass of Her Majesty's Consul at Tangier, who has been for thirty years in the British service, was met by three French military officers then recently appointed by the French Government to serve in the Sultan's army, by one of whom he was struck for no reason whatever.

Her Majesty's Consul, who was at that moment in charge of the British Legation, wrote to the French Chanceller, M. Bertrand, requesting that satisfaction should be given.

An inquiry was promised, but, in spite of repeated applications, ten weeks elapsed before the result was made known. Her Majesty's Consul was then informed that the French officers did not remember having struck any one, and that if they did it was no doubt with good reason.

In the course of December last M. Montfraix, with M. Simon, Attaché to the

French Legation, and M. Bertrand, the Chanceller, were walking in the garden of the British Minister's son-in-law, who was then absent in England, and M. Simon commenced shooting plover. The Moor in charge of the property, a very respectable man, having observed this from the top of a tower, warned the party that shooting birds on the premises was not permitted. Thereupon M. Montfraix used abusive language, threatened to chastise the Moor, and attempted with M. Simon to force his way into the tower. The door of the tower was, however, locked, and so no assault was committed.

The Moor laid a complaint before the British Legation, but Her Majesty's Minister, being personally acquainted with M. Montfraix, avoided taking up the matter in a formal manner, and wrote privately requesting that he would abstain for the future from shooting in his son-in-law's garden, and that, if he had cause for complaint against any one under British protection, he would present his complaint through the proper channel, and not attempt to take the law into his own hands.

Her Majesty's Minister further thought it right to inform M. Montfraix that all persons under British protection, of whatever creed, had been advised that if any one, even a foreign official, struck them, they were at full liberty to defend themselves.

These latter incidents, though of a comparatively trivial nature, have been reported to Her Majesty's Government, from the fear that if such proceedings should continue some untoward question may possibly arise and lead to serious consequences.

Foreign Office, February 1, 1884.

No. 52.

Sir J. Drummond Hay to Earl Granville.—(Received February 2.)

(No. 8. Secret.)

My Lord,

Tangier, January 25, 1884.

WITH reference to my despatches Nos. 5 and 6 of the 17th and 20th instant, reporting that the French citizen, Count de Chavaignac, had gone by sea to the Spanish fortress of Peñon de la Gomera, with the intention of proceeding to the district of Urriagol in the Reef country to work a gold mine, I have the honour to inform your Lordship that the Secretary of Cid Mohammed Bargash called upon me this evening, and read to me in secrecy, by his Excellency's order, copies of a letter addressed by Cid Mohammed Bargash to M. Ordega, and of the reply of the latter, received this forenoon.

The letter of Cid Mohammed Bargash was in answer to one he had received from M. Ordega communicating to him, as I understand, a protest, on account of Count de Chavaignac having been prevented continuing his journey, and not having been furnished with letters to the Chiefs of Reef, and with an escort, and stating that, according to Treaty, French citizens have the right to travel throughout the dominions of the Sultan; but that, if Cid Mohammed Bargash chose to declare that there was no Government of the Sultan in the Reef country, and that His Sheereefian Majesty had no power of control over its inhabitants, France would be prepared to take steps to ensure the safety of her citizens when travelling in that country, and to cause them to be respected, or language of a menacing character to that effect.

Cid Mohammed Bargash's reply was couched in very temperate and friendly language. His Excellency stated that Reef is within the dominions of the Sultan, but that the inhabitants had from ancient times been of a very turbulent character, and in a constant state of revolution; that it is not safe even for Moorish subjects, not Reefians, to proceed there, and that any European who penetrated into that country would be exposed to the greatest danger, and that therefore it was impossible for him, under these circumstances, to accede to M. Ordega's desire.

To this letter M. Ordega replied in very harsh and menacing language. He repeats that Count de Chavaignac is entitled by Treaty to claim the right of travelling in Reef, and he therefore demands that orders be sent to the Reef people to allow the Count to enter, and that an escort be furnished; he further states that he will hold the Moorish Government responsible for his safety. M. Ordega observes that the Reef tribes, who had assembled in front of Peñon to prevent Count de Chavaignac passing the frontier, had stated that they would not allow him to pass without orders from the Sultan; which fact, he says, proves that they were prepared to allow him to travel in the Reef if orders were sent to that effect. He remarks that Moorish subjects can travel where they please in France, and he demands the same privilege for French citizens in Morocco. He states that M. de Chavaignac is incurring heavy expenses on account of detention, and

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that the Sultan will be required to pay those expenses. He tells Cid Mohammed Bargash that by refusing to accede to his just demand he may bring about very serious consequences to his Sovereign, and that, if his demand is not attended to at once, concession offered hereafter may be too late, and he intimates that further opposition may endanger the friendly relations existing between the two Governments. In fact, the whole tone of the letter is harsh and menacing.

The Secretary informed me that Cid Mohammed Bargash was at his wits' ends to know what to do, for he was persuaded that if he acceded to M. Ordega's demand and addressed letters to the Chiefs near Peñon, requesting them to allow Count de Chavaignac to enter the Reef, they would not obey his orders, and that if, on the other hand, they did, it was most probable that other tribes, through whose districts M. de Chavaignac would have to pass to reach Urriagol, would stop him, or even put him to death, and therefore Cid Mohammed Bargash believed that persistence in refusing to accede to the demand was less likely to endanger the peaceful relations between the two countries than a rash acceptance.

The Secretary was directed to inform me that applications of European travellers to visit Reef, Soos, Zair, and the Shloh tribes of the Atlas had always been refused owing to the dangers to which they would be exposed in those districts, both as regards life and property.

The Secretary stated that he was directed by Cid Mohammed Bargash to ask for my opinion and advice. I replied that it was a very delicate task to offer advice when such menacing language had been made use of, but from my knowledge of the character of the Reef people, and that the majority of the tribes do not submit to the temporal authority of the Sultan, it appeared to me that Cid Mohammed Bargash could not have acted otherwise than he had done in declining to accede to M. Ordega's demand, for if Count de Chavaignac was allowed to cross the frontier in consequence of any letter of Cid Mohammed Bargash addressed to the Reef Chiefs in the neighbourhood of Peñon, he would probably be attacked and put to death by other warlike tribes, through whose country he would have to pass, and as M. Ordega declared he held the Moorish Government responsible for the safety of Count de Chavaignac, his death might give rise to a serious question, and therefore, in such a dilemma, refusal to accede to the demand appeared to me preferable to its acceptance.

I suggested that Cid Mohammed Bargash should express in discreet and friendly language his great regret that M. Ordega had not accepted as satisfactory the explanations he had offered as to the reasons why it was out of his power to accede to his demand, and should assure him that his refusal was based upon his knowledge of the character of the people of Reef, who would not only oppose the entry into their country of Europeans, but even of Moors who were not of Reef extraction. I further suggested that he should inform M. Ordega that no European had ever penetrated into that country, and that past applications for permission to do so had been refused; that the Moorish Government had frequently been requested to allow Europeans to travel in different parts of Morocco, such as the Soos, Tafelalt district, Atlas mountains, &c., but that it had declined, as their lives would be endangered, and therefore it could not be said that the Moorish Government had refused to grant to a French citizen what had been conceded to any other foreign subject. With regard to the threats used by M. Ordega, I suggested that Cid Mohammed Bargash should reply that he regretted to find such language had been resorted to, as it was his anxious desire to do all in his power to satisfy any reasonable demands of M. Ordega or of the French Government, and that he trusted on due consideration of the explanations he had offered, and of the dilemma in which he was placed, both the French Government and M. Ordega would be convinced that his opposition only proceeded from a sincere conviction that the life and property of the French citizen would not be safe if he entered the wild country of the Reef, and that no orders or letters that he (Cid Mohammed Bargash) could give to the Chiefs would be attended to.

I know not whether M. Ordega's demand proceeds from ignorance of the state of the Reef country, notorious from ancient times for the lawless character of its inhabitants and their disregard of the Sultan's authority, or whether he has received special instructions from Paris on the subject, and possibly an intimation that he is at liberty to raise questions with this Government, which France may hereafter take advantage of, should it suit her purpose to do so. The general language and conduct of M. Ordega leads to the latter supposition.

I have, &c.
(Signed) J. H. DRUMMOND HAY.

No. 53.

Sir J. Pauncefote to Messrs. McNaught, Pearse, and Middleton.

Gentlemen,

Foreign Office, February 2, 1884.

I AM directed by Earl Granville to acknowledge the receipt of your letter of the 28th ultimo, inclosing a pamphlet relative to the treatment of the agents and servants of the Sûs and North African Trading Company (Limited), by the Sultan of Morocco, and requesting that his Lordship's attention may be directed to the facts of the case as therein set forth.

I am now to inform you, in reply, that Her Majesty's Government are still awaiting the official reply of the Moorish Government to the representation which Sir J. Drummond Hay was instructed to make on the subject of your last application, since up to the present time Her Majesty's Government have only received the report of certain verbal communications which have passed between Her Majesty's Minister at Tangier and the Prime Minister of the Sultan on the subject.

I am, &c.
(Signed) JULIAN PAUNCEFOTE.

No. 54.

Sir J. Drummond Hay to Earl Granville.—(Received February 4.)

(No. 9.)

Tangier, January 27, 1884.

WITH reference to my despatches Nos. 7 and 8 of the 20th and 25th instant, I have the honour to transmit a translation of an article which has appeared in a local paper of Tangier, the "Al-Moghreb al-Aksa," on the subject of the action of the French Minister in Reef, and of the protection extended by France to the Great Shereef of Wazan.

I have, &c.
(Signed) J. H. DRUMMOND HAY.

Inclosure in No. 54.

Extract from the Tangier Journal "Al-Moghreb al-Aksa" of January 27, 1884.

(Translation.)

WE see France endeavouring to constitute herself the guardian of the mercantile speculations of Count de Chavaignac, and granting protection to an important Shereef* of the Reef district; we see France constituting herself the protector of the Great Shereef of Wazan, which is equivalent to establishing her jurisdiction over thousands of the population, or in truth over the greater portion of the territory which the Shereef possesses.

It is no exaggeration to state that France thus establishes her jurisdiction and a protectorate in Morocco, for, in confirmation of this, we have only to consider the history of the Great Shereef of Wazan, Cid-el-Hadj Abdessalam.

A descendant of the Prophet Mohammed, he belongs to the family of the Sultans of Morocco, and if this statement is not quite exact, for the Mussulman religion does not separate the civil authority from the religious, it is a common tradition that, according to the history of his ancestors, a partition of authority took place, by which the Throne of Morocco was upheld by the religious authority of the Prince of Wazan.

What is certain is that the Shereef is proprietor of vast tracts of land throughout Morocco, that he has numberless dependents, that he maintains numerous followers, both military and civil, and that he has relations with all the Governors of the country, and when any civil disturbance takes place, he is the sole and powerful mediator who is called upon to bring about a conciliation between the contending parties, which is equivalent to extending his protection to the Sultan himself, when harassed by the hostilities of rebels.

The Shereef, besides being regarded as holding the highest religious position in the country, is really a Moorish Prince, and, as such, has always been treated, not only in

* The Khamleeshes.

Morocco, where he is regarded with the highest respect by all Moors, but also by all the Representatives, and in Europe with the honours which are paid to Princes. As a proof of the veneration in which he is held, we may observe that he bears the title of the "House of Refuge." The worst criminal taking refuge in his house is safe from every one, even from the authority of the Sultan, and the criminal cannot be surrendered except by the express order of the Shereef.

The result of this is, that the protection afforded to the Shereef creates a powerful French State within the Moorish State, and thus France has taken an important step towards casting her Protectorate over the Moorish Empire.

No. 55.

Earl Granville to Sir J. Drummond Hay.

(No. 2.)

Sir,

Foreign Office, February 4, 1884.

WITH reference to your despatch No. 3 of the 8th instant, I transmit to you herewith copy of a letter which I have caused to be addressed to the Sûs and North African Trading Company relative to the action taken by Her Majesty's Government with regard to the treatment of their agents by the Sultan of Morocco.†

I am, &c.
(Signed) GRANVILLE.

No. 56.

Viscount Lyons to Earl Granville.—(Received February 6.)

(No. 67.)

My Lord,

Paris, February 5, 1884.

WITH reference to my despatch No. 56 of the 29th ultimo, I have the honour to transmit to your Lordship a copy of a note from the French Government respecting the assault by a French officer at Tunis upon the two Maltese, Carmel Demech and Giuseppe Vella.

The note states that the officer has been sentenced to thirty days' close arrest ("arrêts de rigueur").

I have, &c.
(Signed) LYONS.

Inclosure in No. 56.

M. Jules Ferry to Viscount Lyons.

M. l'Ambassadeur,

Paris, le 4 Février, 1884.

PAR sa dépêche du 29 du mois, votre Excellence m'a fait l'honneur de m'entretenir d'un incident qui a eu lieu à Tunis le 20 Décembre dernier. Un officier de l'armée Française ayant été interpellé dans la rue par deux Maltais, les Sieurs Vella et Demech, a souffleté ces derniers et il s'en est suivi une sorte de lutte, à laquelle ont pris part des gendarmes attachés à notre corps d'armée et des janissaires du Consulat d'Angleterre. Le Gouvernement Britannique exprime le désir qu'une enquête soit ouverte relativement à la conduite de cet officier.

Je suis heureux de vous faire savoir qu'il a été satisfait d'avance au vœu que vous avez été chargé de me transmettre. Une instruction a été ouverte par l'autorité Française au lendemain même de l'affaire, et il a été reconnu que la conduite des deux Maltais susmentionnés, si répréhensible qu'elle eût été, ne pouvait excuser l'acte auquel l'officier Français s'est laissé entraîner. Ainsi ce dernier a-t-il été condamné par ses supérieurs hiérarchiques à trente jours d'arrêt de rigueur.

Agréé, &c.
(Signé) JULES FERRY.

† No. 53.

No. 57.

Mr. Reade to Earl Granville.—(Received February 6.)

(No. 4.)

My Lord,

London, February 6, 1884.

I HAVE the honour to place before your Lordship a letter I have received from Mr. Broadley, General Benayad's counsel, and two inclosures from the General himself, on the subject of the the negotiations which have been opened at Tunis for the alleged object of bringing his claims against the Tunisian Government to an amicable termination.

I cannot conceal from your Lordship the strong impression which exists in my mind that the main object of the various proposals which have been made by the French authorities is merely indefinite delay.

I venture, under the circumstances, to hope your Lordship will be of opinion that the time has now arrived when the proposed arbitration should be definitely proceeded with.

I have, &c.
(Signed) THOS. F. READE.

Inclosure 1 in No. 57.

Mr. Broadley to Mr. Reade.

Sir,

12, King's Bench Walk, Temple, E.C., February 6, 1884.

GENERAL BENAYAD desires me to call your special attention to the very unsatisfactory nature of the communications he continues to receive from the French authorities, ostensibly on the subject of a possible amicable solution of his differences with the Tunisian Government. He is first referred to one functionary and then to another (one of them being M. Depienne, who has always consistently opposed any adjustment of the matter in question), and is finally informed that nothing whatever can be done until a complete list of pending claims has been transmitted to the French Residency at Tunis. I wholly fail to see how this document can in any way affect the specific demands of my client, but he hopes you will be able to expedite its delivery to the French Foreign Office.

General Benayad requests me to transmit to you the inclosed letters, the contents of which, I fear, show but too plainly that the proceedings now adopted are merely a repetition of those dilatory measures which have hitherto served to postpone indefinitely, and with ruinous consequences to my client, the final settlement of his case.

I have, &c.
(Signed) A. M. BROADLEY.

Inclosure 2 in No. 57.

General Benayad to Mr. Reade.

Sir,

Tunis, February 1, 1884.

BARON D'ESTOURNELLES, the French Chargé d'Affaires, requested to see me at the French Residency on the 23rd January last. In this interview M. d'Estournelles, after announcing officially that the English and French Governments had come to an understanding as to the settlement of pending claims by arbitration, stated that it was, however, the intention of the two Cabinets that a last effort should be made with a view to an amicable settlement, leaving arbitration as the last resource in case that trial should fail; the French Chargé d'Affaires offered at the same time his personal co-operation and support in order to bring about an understanding between the Bey's Government and myself.

I thought that it was advisable to take advantage of these friendly dispositions. I repeated to M. d'Estournelles the friendly assurances which I had already made to M. Cambon. I said I was ready to adopt any reasonable course that would be suggested, even at the cost of considerable sacrifice, and that I relied on the support he so kindly offered in order to terminate the long and painful controversy between myself and the Government.

I expected an answer for some days. Seeing that no message came from the

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French Residency, I asked an interview of Baron d'Estournelles on Sunday the 27th January last. I submitted again that I was ready to open negotiations for a compromise, and only expected to be told in what way and with whom I was to treat. I urged upon M. d'Estournelles the very grave consequences that any delay might produce, with regard to my own financial position, and trusted he would excuse the very natural impatience of a man who had been expecting for years, without success, a definite answer.

M. d'Estournelles was not this time so encouraging as in his preceding interview; he pleaded the want of instructions from Paris, the necessity of examining some important papers which had not yet arrived; and after asking whether I had seen M. Depienne, the French Director of Finances, advised me to wait some days more before seeing M. Depienne, with whom, he said, I was to treat.

It seemed to me that by following M. d'Estournelles' advice I might lose the opportunity of obtaining the arbitration I have so long desired and claimed. On the other hand, the notoriously dilatory habits of the Tunisian Government have become a system. General Kheredine promised that he would finish my accounts in six months' time, and did nothing; Sy Mohamed Kasnadar made the same promise, and did nothing; M. Lequeux, the Acting French Consul, renewed this engagement for the third time, and we are still in the same position. Even if we succeed in obtaining an encouraging answer from the Tunis Government it is by no means certain that it will ultimately lead to an understanding, while my financial position makes it an imperative necessity for me to press for a solution. I addressed, therefore, the inclosed letter to M. d'Estournelles. I hope it will meet with your full approval.

No answer has been returned, and I apprehend that my efforts for settling in a friendly manner my accounts with the Government are again doomed to failure. I beg, therefore, that you will submit to Her Majesty's Government my official request for the appointment of one or more arbitrators to adjudicate upon my claims against the Tunis Government, and that you will request Her Majesty's Government to appoint on my behalf any person or persons that they may deem fit for that purpose.

I have, &c.
(Signed) HAMIDA BENAYAD.

Inclosure 3 in No. 57.

General Benayad to Baron d'Estournelles.

M. le Baron,

Tunis, le 27 Janvier, 1884.

L'ENTREVUE à laquelle vous avez bien voulu m'inviter avec M. le Général Bacouche, m'avait donné l'assurance que je trouverais auprès de vous les mêmes dispositions hautement équitables que j'avais constaté chez son Excellence M. Cambon. Je suis heureux qu'on apprécie l'esprit de conciliation que j'ai montré dès les premières ouvertures qui m'ont été faites, et je tiens à vous remercier, M. le Baron, pour les déclarations si bienveillantes que vous m'avez fait alors, et que vous avez bien voulu répéter, au cours de notre entretien ce matin.

Si j'ai bien compris le sens de vos paroles, M. le Baron, il s'agirait, dans la pensée du Gouvernement Français, d'accord en cela avec le Foreign Office, de faire une dernière tentative afin de résoudre à l'amiable les affaires pendantes, avant de recourir à l'arbitrage, qui serait, toutefois, déjà arrêté en principe, et réservé comme dernier moyen, pour le cas où ces essais de conciliation n'aboutiraient pas.

Cependant, tout en me recommandant une entente amiable, vous m'avez engagé, M. le Baron, à réduire mes réclamations au chiffre le plus modéré possible, afin de faciliter les négociations avec le Gouvernement de Son Altesse le Bey.

Je vous ai déclaré que, pour ma part, je ferais le possible pour me conformer aux désirs des deux Gouvernements, et pour hâter la fin d'une controverse aussi pénible que ruineuse pour mes intérêts.

C'était là le but de ma démarche ce matin; je tenais à vous informer que j'étais, pour ma part, tout prêt à engager ces pourparlers, et que j'attendais seulement qu'on m'indiquât ce que je devais faire, et à qui je devrais m'adresser.

Il m'a semblé aujourd'hui que l'espoir d'une entente n'était plus aussi rapproché que je l'avais pensé l'autre jour; vous m'avez engagé, en effet, à attendre encore quelques jours, tout en me faisant comprendre que vous manquiez encore d'instructions définitives. Vous comprendrez, sans peine, M. le Baron, l'impatience d'un homme pour lequel cet état d'incertitude dure depuis dix ans; l'affaire en est arrivée à une

crise décisive dans laquelle tout nouveau délai pourrait compromettre très gravement mes intérêts. Je me permets de compter, M. le Baron, sur votre bienveillance pour décider le Gouvernement Tunisien à me faire connaître quand et avec qui je devrais commencer à traiter; le Gouvernement du Bey doit, sans doute, avoir une opinion arrêtée à ce sujet, et sa réponse ne peut pas exiger plus de trois ou quatre jours.

La solution amiable que nous désirons tous dépend donc, en grande partie, du Gouvernement Tunisien. Permettez-moi encore une fois, M. le Baron, de compter sur vos bons offices pour l'y déterminer. Si nos efforts ne devaient pas réussir, je pourrais dire d'avoir épuisé tous les moyens de conciliation, et il ne me resterait plus dès lors qu'à attendre, en toute confiance, le Jugement du Tribunal arbitral.

Veillez, &c.
(Signé) HAMIDA BENAYAD.

No. 58.

Dr. Arpa to Earl Granville.—(Received February 6, 3.30 P.M.)

(Telegraphic.)

Tunis, February 6, 1884, 2.24 P.M.

CONSULAR jurisdiction.

An application is made to me under section 137 to hear a case with a jury, which under section 49 cannot be had. Could I hear it without a jury? Could I also fix a time within which all cases pending should be set down for hearing?

No. 59.

Earl Granville to Viscount Lyons.

(No. 113.)

My Lord,

Foreign Office, February 6, 1884.

I HAVE received your Excellency despatch No. 56 of the 29th ultimo, and have to state to you that Her Majesty's Government approve the note of which you inclose a copy, and which you addressed to M. Jules Ferry on the 29th January, requesting that inquiry may be made into the conduct of a French officer at Tunis, who assaulted and then attempted to arrest two Maltese, named Carmelo Demech and Giuseppe Vella.

I am, &c.
(Signed) GRANVILLE.

No. 60.

Sir S. Lumley to Earl Granville.—(Received February 8.)

(No. 25. Confidential.)

My Lord,

Rome, February 1, 1884.

WITH reference to my telegram No. 1 of the 25th ultimo, respecting the abolition of the Italian Consular jurisdiction in Tunis, I have the honour to inclose herewith to your Lordship a copy of the Protocol, which I have received at the moment of the departure of the messenger. M. Mancini requests that this document may be considered strictly confidential, as it has not yet been communicated to the Chamber.

I have, &c.
(Signed) J. SAVILE LUMLEY.

Inclosure in No. 60.

Protocole.

LA négociation pour le règlement des différentes questions se rattachant à la réforme projetée du régime juridictionnel en Tunisie ayant abouti à une entente complète, le présent Protocole a été dressé en vue de résumer et de mieux fixer, à l'égard de chacune de ces questions, la teneur et la portée des arrangements que les Cabinets de Paris et de Rome ont réciproquement pris en cette matière par des notes et autres pièces échangées, auxquelles au besoin ils se réfèrent. Les points suivants vont

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done former, entre les deux Gouvernements, la base de leurs rapports mutuels en ce qui concerne l'exercice de la juridiction à Tunis :

1. Le Gouvernement du Roi consent, avec réserve, bien entendu, de l'approbation Parlementaire, à suspendre en Tunisie l'exercice de la juridiction des Tribunaux Consulaires Italiens. La juridiction exercée par ces Tribunaux sera transférée aux Tribunaux récemment institués en Tunisie, dont son Altesse le Bey a, par un Décret du 5 Mai, 1883, étendu la compétence aux nationaux des États qui consentiraient à faire cesser de fonctionner leurs propres Tribunaux Consulaires dans la Régence.

2. Sauf cette dérogation au régime actuel, il est expressément convenu que toutes les autres immunités, avantages, et garanties assurés par les Capitulations, les usages, et les Traités restent en vigueur.

Le maintien de ces immunités et garanties est intégral envers les personnes et résidences Consulaires ; il doit, envers les particuliers, n'être assujéti qu'aux restrictions absolument nécessaires pour l'exécution en Tunisie des sentences que les nouveaux Tribunaux rendront d'après la loi. Il n'est pas dérogé, quant à leur exécution en Italie, aux règles en vigueur pour l'exécution des Jugements étrangers.

3. Le consentement du Gouvernement Italien à la réforme projetée est subordonné à la condition que tous les autres Gouvernements donneront également leur adhésion.

Toute concession, facilité ou faveur, qui serait en cette matière accordée à une autre Puissance quelconque, devra de plein droit être étendue à l'Italie.

Le nouveau régime juridictionnel ne pourra être ultérieurement modifié qu'avec l'approbation explicite du Gouvernement du Roi.

4. Les nouveaux Tribunaux prendront pour règle l'application de la loi Italienne :—

(1.) Pour les rapports juridiques qui se sont formés sous l'Empire, en Tunisie, de la loi Italienne dans l'intérêt des nationaux Italiens.

(2.) Pour les matières énoncées dans l'Article XXII du Traité Italo-Tunisien du 8 Septembre, 1868, à savoir : statut personnel et rapports de famille, successions, donations, et en général toutes les matières réservées par le droit international privé à la législation nationale de chaque étranger.

5. Les protégés Italiens en Tunisie sont, en matière de juridiction, complètement assimilés aux nationaux Italiens.

6. La juridiction du Tribunal Consulaire Italien devant intégralement passer au nouveau magistrat, il est convenu que ce dernier aura compétence aussi dans les matières de contentieux administratif en conformité de la Loi Italienne du 20 Novembre, 1865. Cette compétence n'ira pas jusqu'à remettre en question les arrangements financiers garantis par la France, l'Italie, et l'Angleterre, ou bien les actes antérieurs du Gouvernement Tunisien ; il appartient, cependant, aux nouveaux magistrats de se prononcer aussi sur toute controverse d'interprétation ou d'exécution de ces arrangements et de ces actes.

7. Il n'y aura, en Tunisie, envers les nationaux Italiens d'autre juridiction que celle qui va être exercée à leur égard par les nouveaux Tribunaux. Les auteurs d'attentats contre l'Armée d'Occupation cesseront d'être déferés aux Conseils de Guerre, et seront soumis à la juridiction des magistrats de droit commun dans les mêmes conditions qu'en France même.

8. Dans les causes pénales contre un étranger, les trois assesseurs étrangers seront choisis dans la liste de ses nationaux ; dans le cas où ceux-ci ne seraient pas en nombre suffisant, le choix se fera dans la liste d'une autre nationalité désignée par le prévenu lui-même.

Le droit de récusation appartiendra également au prévenu comme au Ministère Public.

Le prévenu, s'il le veut, peut toujours préférer des assesseurs Français.

9. Si la peine capitale était prononcée par le nouveau Tribunal, en Tunisie, contre un sujet Italien, l'attention du Président de la République sera appelée d'une manière toute spéciale, en vue de l'instance en grâce pour la commutation de cette peine, sur l'état actuel de la législation en Italie à l'égard de la peine de mort.

10. Le droit de plaider devant le nouveau Tribunal est reconnu à tous ceux qui font, ou qui, ayant les qualités voulues, pourraient faire partie d'un barreau en Italie.

Les avocats exerçant près du Tribunal Consulaire Italien sont également admis, devant les nouveaux Tribunaux, à l'exercice des fonctions de défenseur ou avoué, d'après l'Article 10, § 2, de la Loi Française du 27 Mars, 1883.

Pour les nationaux Italiens qui aspireraient plus tard à l'exercice de ces fonctions, la condition des deux ans de stage, établie par l'Arrêté Ministériel Français du 26 Novembre, 1841, pourra être remplie par le stage auprès d'un avocat ou Procureur en Italie.

11. Les emplois subalternes au greffe des nouveaux Tribunaux seront accessibles aux sujets Italiens.

La situation des employés actuellement attachés au greffe du Tribunal Italien sera prise par la nouvelle administration judiciaire en bienveillante considération.

12. Les procès en appel devant la Cour de Gênes suivront devant ce magistrat, et éventuellement devant les Cours Supérieures, leur cours régulier jusqu'à ce que la procédure soit intégralement épuisée.

Les procès qui se trouveront, au moment de l'inauguration du nouveau régime, en cours devant les Tribunaux Consulaires Italiens en Tunisie, continueront également à leur être soumis jusqu'à épuisement de la procédure, sauf le cas où, une transaction immédiate n'étant pas réalisable, les parties préféreraient une décision par arbitres, ou bien une autre méthode de procédure, agréée par les parties, qui pourrait dans l'intervalle être convenue entre les deux Gouvernements.

Les affaires pendantes en voie diplomatique continueront à être l'objet de négociations diplomatiques, avec réserve, cependant, en faveur du Gouvernement Italien, de réclamer l'adoption de toute autre méthode qui serait à ce sujet accordée à un autre Gouvernement quelconque.

Fait à Rome, en double expédition, le 25 Janvier, 1884.

(L.S.) MANCINI,

(L.S.) ALBERT DECRAIS,
Ministre des Affaires Etrangères d'Italie.
Ambassadeur de la République Française.

No. 61.

Earl Granville to Viscount Lyons.

(No. 116.)

My Lord,

Foreign Office, February 9, 1884.

I HAVE received your despatch No. 67 of the 5th instant, reporting that the French officer who assaulted two Maltese, named Carmel Demech and Giuseppe Vella, at Tunis, has been sentenced to thirty days' close arrest, and I have to request your Excellency to convey to the French Government the acknowledgments of Her Majesty's Government for the steps taken by them in this matter.

I am, &c.

(Signed) GRANVILLE.

No. 62.

Earl Granville to Dr. Arpa.

(No. 4.)

Sir,

Foreign Office, February 9, 1884.

WITH reference to your despatch No. 64 of the 22nd December last, I have to acquaint you that I learn from Her Majesty's Ambassador at Paris that the French officer who assaulted the two Maltese, Demech and Vella, at Tunis, has been sentenced to thirty days' close arrest.

I am, &c.

(Signed) GRANVILLE.

No. 63.

Mr. West to Earl Granville.—(Received February 11.)

(No. 25.)

My Lord,

Washington, January 28, 1884.

I HAVE the honour to acknowledge the receipt of your Lordship's telegram No. 24 of the 31st ultimo, and to inform you that I duly communicated the information therein contained respecting the abolition of Her Majesty's Court for Tunis to the United States' Government.

I have, &c.

(Signed) L. S. SACKVILLE WEST.

Earl Granville to Viscount Lyons.

(No. 127.)

My Lord,

Foreign Office, February 11, 1884.

WITH reference to my despatch No. 849 of the 5th September last, and subsequent correspondence respecting the new financial régime which it would appear that the French Government contemplate introducing into Tunis in lieu of that existing under the Act agreed upon by the Finance Commission for the settlement of the Tunisian debts, and signed at Tunis on the 23rd March, 1870, I desire to communicate to your Excellency the opinion which, as at present advised, Her Majesty's Government have formed on the question raised by the British members of the Finance Commission in their Memorandum of which a copy was inclosed in my despatch above referred to.

By the Act of 1870 for the settlement of the Tunisian debts it is provided that the obligations issued thereunder should enjoy, "jusqu'à leur rachat intégral," precedence over future debts contracted by the Tunisian Government.

They were each to have attached thirty half-yearly coupons, and those which were not "amorties" at the expiration of the fifteen years were to be exchanged for new obligations. It was further provided that if the revenues hypothecated exceeded 6,500,000 fr., but were less than 8,000,000 fr., the difference should be employed "à l'amortissement de la dette par la voie du rachat au cours du jour;" and the obligations bear upon the face of them a reference to the Act of 1870, and to the fact that they are to be redeemed "par voie du rachat."

If the mode of redemption thus provided for be carried out, and the bonds completely extinguished, Her Majesty's Government think it would not be material that this should be effected through the Financial Commission. But it appears to Her Majesty's Government that the creditors are entitled to require that the mode of redemption provided for by the Act of 1870 should be pursued.

Your Excellency will bear this in mind should the subject be referred to by the French Minister for Foreign Affairs, and I should be glad if you would endeavour to ascertain what the intentions of the French Government are on the subject.

I am, &c.

(Signed) GRANVILLE.

Earl Granville to Dr. Arpa.

(No. 5.)

Sir,

Foreign Office, February 11, 1884.

WITH reference to my despatch to Mr. Reade No. 15 of the 5th September of last year, I transmit to you herewith, for your information and guidance, copy of a despatch which I have addressed to Her Majesty's Ambassador at Paris, communicating to his Excellency the opinion which Her Majesty's Government, as at present advised, have formed upon the question raised by the proposed introduction by France into Tunis of a new financial régime, in lieu of that existing under the Act agreed upon by the Finance Commission in March 1870 for the settlement of the Tunisian debts.*

I am, &c.

(Signed) GRANVILLE.

Sir J. Pauncefote to Mr. Reade.

Sir,

Foreign Office, February 11, 1884.

WITH reference to your recent despatches Nos. 3 and 4 of the 31st ultimo and 6th instant, referring to General Benayad's case, and the evident unlikelihood that any settlement of an amicable nature will be arrived at thereupon, I am directed by Earl Granville to state to you that his Lordship is of opinion that the time has arrived when it is desirable that the necessary steps for proceeding to a settlement of this and other cases should no longer be delayed. Baron d'Estournelle has himself expressed privately

his desire to be furnished with a list of the British claims, and to proceed at once to their settlement.

Under these circumstances, Lord Granville considers that it is desirable that you should return to your post at Tunis at your earliest convenience, and that you should proceed at once in this matter by arranging with the French authorities in what order the claims shall be sent in to them for acceptance or rejection, and that you should report at once whether the French authorities have renounced the hope of an amicable settlement with Benayad.

You will be good enough, therefore, to inform Lord Granville on what day you will be prepared to return to Tunis.

I am, &c.

(Signed) JULIAN PAUNCEFOTE.

Earl Granville to Count Nigra.

M. l'Ambassadeur,

Foreign Office, February 11, 1884.

WITH reference to your Excellency's letters of the 14th August and 17th September of last year, I have now the honour to communicate to your Excellency the opinion which, as at present advised, Her Majesty's Government have formed on the question raised by the proposed introduction by France into Tunis of a new financial régime in lieu of that existing under the Act agreed upon by the Finance Commission in March 1870 for the settlement of the Tunisian debts.

By the Act of 1870 for the settlement of the Tunisian debts it is provided that the obligations issued thereunder should enjoy, "jusqu'à leur rachat intégral," precedence over future debts contracted by the Tunisian Government. They were each to have attached thirty half-yearly coupons, and those which were not "amorties" at the expiration of the fifteen years were to be exchanged for new obligations. It was further provided that if the revenues hypothecated exceeded 6,500,000 fr., but were less than 8,000,000 fr., the difference should be employed "à l'amortissement de la dette par la voie du rachat au cours du jour;" and the obligations bear upon the face of them a reference to the Act of 1870, and to the fact that they are to be redeemed "par voie du rachat."

If the mode of redemption thus provided for be carried out, and the bonds completely extinguished, Her Majesty's Government think it would not be material that this should be effected through the Financial Commission. But it appears to Her Majesty's Government that the creditors are entitled to require that the mode of redemption provided for by the Act of 1870 should be pursued.

I have, &c.

(Signed) GRANVILLE.

Sir J. Pauncefote to Sir R. Herbert.

Sir,

Foreign Office, February 11, 1884.

THE Earl of Derby is no doubt aware that amongst the conditions attached to the late abrogation by Her Majesty's Government of their Consular jurisdiction in Tunis is that of the settlement by arbitration, or otherwise, of certain classes of claims of British or of British-protected subjects against the Regency: the arbitrators on either side to be selected respectively by the British and French Governments.

It has therefore become necessary for Her Majesty's Government to make provision for the appointment of an arbitrator on behalf of those British subjects whose claims have not been, or shall not be found to be, susceptible of amicable arrangement.

The cases in question will have to be examined into and adjudicated upon at Tunis; and I am to state that if Sir A. Dingli, the President of the Court of Appeal at Malta, should be willing to act as arbitrator on behalf of the British claimants, and could be spared from his official duties for that purpose, Lord Granville would be glad to avail himself of his services in that capacity, and is confident that the selection by Her

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Majesty's Government of an arbitrator so eminently fitted to discharge the important duties required would afford general satisfaction.

If Lord Derby should see no objection to this proposal, I am to request that his Lordship will be good enough to communicate it to Sir A. Dingli, together with the accompanying Blue Book ("Tunis No. 1, 1884"), which contains all the particulars of the intended arbitration, and to inform Lord Granville, at his earliest convenience, of the result of his inquiry.

I am, &c.
(Signed) JULIAN PAUNCEFOTE.

No. 69.

Mr. Reade to Earl Granville.—(Received February 12.)

(No. 5.)

My Lord,

London, February 12, 1884.

I HAVE the honour to acknowledge the receipt of Sir Julian Pauncefote's despatch of yesterday's date, communicating to me your Lordship's opinion that the time has arrived for proceeding to a settlement of the claims of British subjects in Tunis, and instructing me to return, as soon as possible, to my post, for the purpose of arranging with the French authorities as to the manner in which the proposed settlement is to be carried into effect.

In reply, I have the honour to state that, in accordance with your Lordship's wishes, I shall be prepared to proceed to Tunis on Saturday next, the 16th instant, and to do all I can for promoting a solution of the pending difficulties.

I trust, however, I may be permitted to express a conviction that my return to Tunis, before the question of arbitration is definitely settled by the nomination of the arbitrators, and some decision is arrived at as to the particular cases of Mareschal and the Greek trespassers on Benayad's property, will have an injurious effect on our status in the country, and render my own position one of extreme difficulty. As regards the two last cases, I might venture to suggest that, pending a definite solution, the ground in dispute should be held by a neutral party. This, at any rate, would show that the matter is still under consideration. On the other hand, if the arbitration were definitively agreed upon, and the arbitrators formally appointed, I should have a basis on which to treat authoritatively.

I have, &c.
(Signed) THOS. F. READE.

No. 70.

Sir J. Drummond Hay to Earl Granville.—(Received February 13.)

(No. 10.)

My Lord,

Tangier, February 6, 1884.

WITH reference to your Lordship's despatch No. 55 of the 22nd December last, and to my despatch No. 3 of the 8th ultimo, and to the note I addressed Cid Mohammed Bargash, in pursuance of your Lordship's instruction, informing his Excellency that, should the statements made to your Lordship by the Sûs and North African Company, that the landing of goods on the Soos coast by their agent Curtis was done with the knowledge and sanction of an officer of the Sultan, prove to be correct, the opinion of Her Majesty's Government regarding the illegality of the proceedings of the Company would be altered, I have the honour to transmit a translation of the reply I have received from Cid Mahommed Bargash.

I have, &c.
(Signed) J. H. DRUMMOND HAY.

Inclosure in No. 70.

Cid Mohammed Bargash to Sir J. Drummond Hay.

(Translation.)

(After usual compliments.)

Tangier, January 31, 1884.

WE have received your letter of the 4th instant, in which you request us to beg our Lord the Sultan to institute an inquiry into the statement made by the Sûs and North

African Company to the Government of Great Britain, that their agent Curtis had landed goods at Erksheesh with the consent of Kaid Boazza, one of his Shereefian Majesty's officers, and that the latter had purchased some of the said goods, for which he had not yet paid, and that the Commissioner sent by His Majesty to that district had by his language encouraged the said Curtis to believe that the goods would be safe; you request us to make known to you the result of the inquiry, that you may inform your Government, who declare that, should the statements made to them prove, on inquiry, to be correct, it would lead to an alteration of their views as to the illegality of the proceedings of the said Company.

You had already spoken to us on the subject, and we had replied verbally that we were surprised at your accepting the statements of Curtis or of the Company, which are incorrect and mendacious. We cannot believe that Kaid Boazza, or any other officer, would ever have ventured to consent to the landing of goods at Erksheesh, or to declare that such goods would be safe.

With regard to what you say respecting the losses the Company allege that they have suffered, look at the account that we delivered to Mr. White during your absence, by which you will learn their deviation from the truth in their statements.

As to what you state in your letter respecting the Company's servants, Hadj Hamdan and Jelaby, who were arrested and imprisoned, that the primary responsibility did not rest upon them, since they were the servants of British subjects, and had only obeyed the orders given to them by their employers, we cannot but express our surprise, nor can we understand how subjects of the Sultan can be allowed to commit infractions of the law and yet be considered innocent because they did so by the order of a foreign Company, though they were well aware that the Sultan had issued repeated Proclamations that any goods landed on the Soos Coast would be considered as contraband, which was publicly made known to all men. That these men should disobey the orders of their Sovereign, and should act upon the orders of a foreign Company instead, does not appear to us to be in accordance with right or law.

We beg of you, O well-beloved friend, to ask your illustrious and just Government whether it would be admitted by them, when they had issued some order in their dominions, and had made it public, and some of their subjects had contravened it, or aided others in contravening it, such persons would be regarded as innocent and undeserving of punishment, because they were acting under the direction of others.

As you have requested that we beg our Lord the Sultan to institute an inquiry into the conduct of Kaid Boazza, and of the Commissioner sent by His Majesty to those districts, we have written to His Shereefian Majesty in accordance with your wishes, but we are convinced that they never ventured to do what they are accused of. When the Shereefian reply is received, we will make it known to you.

Peace and friendship!

(Signed) MOHAMMED BARGASH.

No. 71.

Messrs. McNaught, Pearse, and Middleton to Earl Granville.—(Received February 13.)

My Lord,

9, Crosby Square, E.C., February 12, 1884.

WE have the honour to acknowledge the receipt of your Lordship's letter of the 2nd instant, informing us that your Lordship was awaiting a Report from Her Majesty's Minister at Tangier with reference to the imprisonment of the servants of the Sûs Company, and to the question of robbery of the said Company's goods.

We are now able to inform your Lordship that we have this day received news from Morocco, dated 25th January last, to the effect that not only are the two servants of the Company, Hadj Hamdan and Jelaby, still incarcerated, but that the son of the former, who went to visit his father, has also been detained, and our correspondent further adds, that unless special action is speedily taken, these unfortunate individuals will perish in gaol.

Notwithstanding your Lordship's direction to Her Majesty's Minister at Tangier, it would appear that as yet no attempt has been made to investigate the affair, which is one demanding immediate attention.

We therefore venture to beg that your Lordship will urge Her Majesty's Representative to hasten the complete reparation of the wrong committed by the Moorish Government in illegally detaining servants of British subjects without holding the

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Consular inquiry provided for by the International Treaties, and also for the plunder of the goods of said Company.

We have, &c.
(Signed) McNAUGHT, PEARSE, AND MIDDLETON.

No. 72.

Dr. Arpa to Earl Granville.—(Received February 14, 5.15 P.M.)

(Telegraphic.)
Tunis, February 14, 1884, 11.40 A.M.
NOTICE published by Spanish, German, and Belgian Consulates announcing abolition of their Consular jurisdiction in Tunis.

No. 73.

Question asked in the House of Commons, February 15, 1884.

Mr. Montague Guest.—To ask the Under-Secretary of State for Foreign Affairs whether it is a fact that no definite steps have as yet been taken towards the appointment of the arbitrators whom it was understood, when the Consular jurisdiction was abolished in Tunis, would meet to decide on the claims of British subjects against the French Government:

And, whether it is not true to say that some eighty cases are now waiting to be decided, which involve very considerable claims.

Answer.

Those claims only which involve pecuniary demands, and which cannot be amicably adjusted, are to be referred to arbitration. Lord Granville has already taken steps with a view to the selection of an arbitrator on behalf of Her Majesty's Government.

According to a Return recently furnished by Her Majesty's Agent and Consul-General in Tunis, between seventy and eighty cases of more or less importance are now awaiting decision.

No. 74.

Sir J. Pouncefote to Mr. Reade.

Sir,
Foreign Office, February 15, 1884.
WITH reference to my letter of the 11th instant, in which you were requested to make arrangements for returning to your post as soon as possible, with a view to proceeding with the adjustment of the outstanding claims of British subjects, I am directed by Earl Granville to state that his Lordship considers that it would be expedient that, on entering upon these matters with the French Minister, you should endeavour to arrange with him for the immediate presentation of all pecuniary claims of British subjects against the Tunisian Government, and for fixing a certain date after which all such claims then remaining unsettled shall be referred to arbitration, in accordance with the terms agreed upon between the two Governments.

Claims involving the right and title to land must be disposed of by the competent Tribunals, as well as claims against private individuals.

Lord Granville has already taken steps for the selection of an arbitrator to be appointed on behalf of Her Majesty's Government, and the result will be communicated to you as early as possible.

I am, &c.
(Signed) JULIAN PAUNCEFOTE.

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No. 77.

Sir J. Drummond Hay to Earl Granville.—(Received February 20.)

(No. 12. Confidential.)

My Lord,

Tangier, February 14, 1884.

WITH reference to my despatches Nos. 5, 6, and 8 of the 17th, 20th, and 25th January, I have the honour to inform your Lordship that tidings have been received from Reef that the inhabitants of the districts of Uriagol and Beni Amart have destroyed the houses and property of the Sheikh Hadj Ali, who had taken an active part in assisting Count de Chavagnac to purchase the land where the gold ore is alleged to have been found. It is further reported that Hadj Hamoo Khamleesh, the brother of Hadj Mohammed Khamleesh, who is under French protection, as agent of Count de Chavagnac, has been murdered with fifteen other Reefians connected with the transaction, their houses also being burnt, and that the Sanctuary of the Khamleeshes, who are Marabouts, or descended from holy Mahommedans, has been razed to the ground.

Cid Mohammed Emkishid, Governor of Arzila, who is also Governor of Uriagol, to which tribe he belongs, received urgent orders from the Sultan last week to proceed to the disturbed district, and to endeavour to put a stop to a further commission of outrages, and to give, as I understand, an assurance to the inhabitants that the Sultan will not grant permission to the Frenchman to enter the Reef.

Cid Mohammed Emkishid, who generally resides at Tangier, hired a vessel, and proceeded by sea to Melilla, which fortress is in the vicinity of the Uriagol district.

Count de Chavagnac has not yet returned from Peñon. I understand that M. Ordega has advised him not to expose his life by entering the Reef, but leading articles in the French journal published at Tangier, which are said to be written, or at any rate inspired, by the French Legation, maintain the right by Treaty of the French citizen to travel wherever he pleases in the dominions of the Sultan, and that the Moorish Government is to be held responsible for his safety. In quoting Treaty stipulations the writer is careful not to introduce the clause, "subject to the regulations of police." He maintains that France, in taking the lead, as she has always done, in upholding the rights of her citizens in Morocco and other countries, renders an important service to the subjects of all nations. Still I can hardly believe that M. Ordega has received especial instructions to find a pretext for a quarrel with Morocco.

It is reported that the Sultan is disposed to grant compensation to Count de Chavagnac for the expenses he has incurred, and to repay him the value of the land he had purchased.

I expect that if this question is to be arranged peaceably, it will be effected in the usual way of compelling the Sultan to pay heavily to the interested parties.

I take this opportunity of mentioning that the French journal "Reveil du Maroc," which is published here, is supposed to receive a subvention from the French Legation.

I have, &c.

(Signed) J. H. DRUMMOND HAY.

No. 75.

Viscount Lyons to Earl Granville.—(Received February 16.)

(No. 82.)

My Lord,

Paris, February 15, 1884.

I HAVE the honour to inform your Lordship that I have this day addressed a note to the French Government in the terms of your Lordship's despatch No. 116 of the 9th instant, and have conveyed to them the acknowledgments of Her Majesty's Government for the steps taken with regard to the French officer who assaulted Carmel Demech and Giuseppe Vella at Tunis.

I have, &c.

(Signed) LYONS.

No. 76.

Question asked in the House of Commons, February 19, 1884.

Mr. Joseph Cowen.—To ask the Under-Secretary of State for Foreign Affairs whether it is true that the French Minister Resident at Tunis has, during eighteen months, arbitrarily prevented the construction of a railway by an English Company carrying on business in the Regency of Tunis, in conformity with the terms of a Concession:

And, whether the French Minister now offers to allow such construction, provided the said Company withdraws its claims for damages.

Answer.

The incident to which the Honourable Member refers arises out of a question in dispute between "the Franco-English Tunisian Esparto Fibre Supply Company" and the French authorities in Tunis, as to the meaning of the provisions of the Company's Concession relating to the construction of a railway. The French Minister in Tunis has offered to abandon his opposition to the proposed railway on condition that all claims for damages be withdrawn; but the offer has been declined.

Her Majesty's Government is in communication with the French Government on this case.

No. 77.

Earl Granville to Dr. Arpa.

(No. 6.)

Sir,

Foreign Office, February 19, 1884.

I HAVE had under my consideration your despatch No. 65 of the 4th January, in which you refer to the disadvantage under which, in your opinion, British advocates would labour if the use of the French language is to be compulsory in pleadings before the French Tribunals, and at the same time suggest that, if not too late, the Italian language may be proposed as an alternative mode of pleading before those Tribunals.

In reply, I have to state to you that, whilst appreciating the arguments which have prompted your representation, Her Majesty's Government are of opinion that it is not open to them to appeal to the French Government to allow foreign advocates to plead in their own language in French Courts, or even to ask them to consent to the alternative suggested by you, though the case would be different in Mixed Courts, such as those established in Egypt.

I am, &c.

(Signed) GRANVILLE.

Viscount Lyons to Earl Granville.—(Received February 20.)

(No. 89.)

My Lord,

Paris, February 19, 1884.

WITH reference to your Lordship's despatch No. 127 of the 11th instant, I have the honour to report that the views of the French Government with regard to the Tunisian debt appear to be pretty clearly indicated in the *Exposé des Motifs* with which the Government introduced the Bill to confirm the Convention with the Bey of the 8th June, 1883, and in the Report of the Committee of the Chamber of Deputies on that Bill.

The first of these documents was transmitted to your Lordship with Mr. Plunkett's despatch No. 500 of the 7th August last; the second was sent to your Lordship with my despatch No. 37 of the 17th ultimo, and I inclose herewith a copy in a more convenient form.

These documents seem to leave little doubt that the plan of the French Government is to guarantee a loan to be made by the Bey of Tunis, and to apply the proceeds of this loan to the converting or paying off the Tunisian debt, with a view to abolishing altogether the International Financial Commission.

The *Exposé des Motifs* says (p. 3):—

"Pour assurer au Gouvernement du Bey la libre administration des finances de la Régence, et pour lui donner le moyen de procéder aux réformes indispensables au développement des richesses du pays et à la répartition équitable des charges fiscales imposées à la population, il est nécessaire de lui rendre la libre disposition, sous notre contrôle, des revenus concédés en 1870 à une Commission Financière Internationale et de substituer notre garantie à celle de cette Commission.

"Nous vous proposons en conséquence par application du II^e Article de la Convention d'obtenir la conversion avec réduction du taux de l'intérêt, ou le remboursement de la Dette Consolidée Tunisienne, au moyen d'un emprunt à émettre par le Bey sous notre garantie, et dont les titres seront offerts aux porteurs actuels."

The Report of the Committee, after expressing disapproval of other arrangements that had been put forward, says (p. 9):—

"Après avoir écarté ces diverses combinaisons, le Gouvernement se trouvait en présence de la troisième et dernière des solutions qui aient été proposées. Elle consiste à garantir purement et simplement une opération de conversion ou d'emprunt, que ferait le Gouvernement de la Régence, et qui s'appliquerait à la totalité de sa dette actuelle. Il est manifeste que c'est la solution la plus nette, la plus décisive. Elle aurait pour effet immédiat, en faisant disparaître la Commission Financière, de restituer à l'État Tunisien tous ses droits d'administration et de gouvernement, et de permettre ainsi la réorganisation nécessaire de ce pays. En outre, il serait facile, par un emprunt au cours du jour, de diminuer les charges du service de la dette d'une manière importante."

It is perhaps right that I should direct your Lordship's attention to the severe criticisms on the system existing under the arrangement of 1870 which are contained in both documents, and especially in the Report of the Commission under the heading "*Organisation Financière actuelle*" (p. 6).

I am not prepared to dissent from these criticisms, or to contend that the system in force under the International Commission is compatible with an effective administration of the finances under a civilized Government; but it seems only fair to remark that the leading part in establishing, maintaining, and working that system was taken by France herself.

I do not know that the details of any plan for effecting the conversion or reimbursement of the debt, or for coming to terms with the creditors, have yet been considered by the Government.

In fact, although the Report was laid upon the Table of the Chamber of Deputies some months ago, the Bill has not been taken up by the Chamber. On the 15th instant indeed the Minister of Finance informed the Budget Committee that the Government, from economical motives, intended to abandon the Article of the Bill (Article 2) which authorizes advances to be made by the French Treasury to the Tunisian Government, and to substitute for it an arrangement by which these advances would be made by some private establishment, such as the Bank of Algeria. On the following day M. Jules Ferry made the same announcement to the Committee on the Bill itself, and said that he hoped in a few days to submit to them the text of the Bill modified in this sense.

It does not appear, however, that the Article to be modified has any direct bearing on the conversion or reimbursement of the debt.

I have, &c.
(Signed) LYONS.

Earl Granville to Sir J. Drummond Hay.

(No. 3.)

Sir,

Foreign Office, February 21, 1884.

I HAVE received your despatch No. 10 of the 6th instant, inclosing copy of a note addressed to you by Cid Mohammed Bargash in reply to the representations which you made to him, by my desire, on the subject of the imprisonment of the servants of the Sûs and North African Trading Company, and the alleged plunder of the Company's goods.

I inclose copy of a letter which has been received from the agents of the Company, stating that not only are the native servants of the Company still in confinement, but that the son of one of them, who went to visit his father, has also been detained in custody.*

I have to request that you will again urge upon the Moorish Government, if you are aware of no reason against such a course, the propriety of releasing these unfortunate men; and you should see that the inquiry which has been promised into the circumstances under which the goods of the Company were introduced into Soos is promptly carried out.

I am, &c.
(Signed) GRANVILLE.

No. 80.

Earl Granville to Sir J. Drummond Hay.

(No. 4.)

Sir,

Foreign Office, February 21, 1884.

I HAVE received your despatch No. 8, Secret, of the 25th ultimo, relative to the question of Count de Chavagnac's projected visit to the Reef country, and I have to state to you that the advice which, as reported in your above-mentioned despatch, you have given to Cid Mohammed Bargash upon this delicate matter appears to Her Majesty's Government to have been judicious.

I am, &c.
(Signed) GRANVILLE.

No. 81.

Sir J. Pauncefote to Messrs. McNaught, Pearse, and Middleton.

Gentlemen,

Foreign Office, February 21, 1884.

I AM directed by Earl Granville to acknowledge the receipt of your letter of the 12th instant upon the subject of the imprisonment in Morocco of the servants of the Sûs and North African Trading Company, and the alleged plunder of the Company's goods; and, in reply, I am to inform you that Lord Granville is still waiting for the result of the official inquiry promised by the Moorish Government, on receipt of which a further communication will be addressed to you.

I am, &c.
(Signed) JULIAN PAUNCEFOTE.

No. 82.

Mr. Wingfield to Sir J. Pauncefote.—(Received February 22.)

Sir,

Downing Street, February 22, 1884.

WITH reference to your letter of the 11th instant, I am directed by the Earl of Derby to transmit to you, to be laid before Earl Granville, a copy of a telegram from the Governor of Malta reporting that Sir A. Dingli is willing to act as English arbitrator in the matter of the British claims against the Regency of Tunis.

I am to inquire whether the arrangement proposed by Sir A. Borton as to the time

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when Sir A. Dingli should depart for Tunis and return to Malta will meet the wishes of Lord Granville.

I am, &c.
(Signed) EDWARD WINGFIELD.

Inclosure in No. 82.

Governor Sir A. Borton to the Earl of Derby.

(Telegraphic.)

Malta, February 20, 1884.

DINGLI gladly places his services at Lord Granville's disposal. Could start, if necessary, about 12th March, but public convenience consulted if departure postponed to about 28th March. Advisable should be in Malta by 18th April, but stay at Tunis could, if necessary, be prolonged a week or ten days without serious public inconvenience.

No. 83.

Count Nigra to M. Mancini.—(Communicated to Earl Granville, February 25.)

(Traduction.)

JE n'ai pas manqué d'entretenir Lord Granville sur les faits concernant le Maroc, que votre Excellence m'a signalés.

Ces faits sont : la protection Française au Shérif de Wasan ; l'entreprise commerciale du Comte de Chavagnac dans le Riff ; les préparatifs d'action et de propagande des deux Associations, savoir : l'alliance pour la propagande de la langue Française ; et l'alliance Israélite universelle ; la mission militaire Française en permanence au Maroc, &c.

Les informations parvenues au Foreign Office sur les agissements de M. Ordega concordent en substance avec celles parvenues à votre Excellence.

Lord Granville m'a dit que son attention avait déjà été appelée sur ces faits et sur les tendances qu'ils semblent indiquer.

Sa Seigneurie est portée à penser que M. Ordega agit peut-être par sa propre impulsion, plus que par suite d'instructions de son Gouvernement. Néanmoins, même dans cette hypothèse la chose offre, aux yeux du Gouvernement Anglais, des dangers non moins considérables.

Lord Granville reconnaît que l'Italie, comme l'Espagne, et comme l'Angleterre, a un intérêt au maintien du *status quo* territorial dans cette partie de l'Afrique. Il est d'avis que ces Puissances pourraient faire utilement quelque démarche auprès du Gouvernement Français pour le mettre en garde sur la manière d'agir du Représentant de la République à Tanger et sur les complications qui pourraient s'ensuivre. Cette démarche, dans la pensée de Lord Granville, devrait être faite en forme amicale officieuse et séparément. Le Gouvernement Anglais, dans l'intérêt même du succès de cette espèce de loyal avertissement, veut éviter de lui donner l'apparence d'une action commune, et plus encore un caractère comminatoire quelconque.

Dans ce sens, Lord Granville m'a semblé disposé à faire parvenir les observations au Cabinet de Paris.

Je lui ai donné l'assurance que cette communication entre lui et moi resterait confidentielle.

Substance of preceding Despatch.

The despatch states that Count Nigra had not failed to communicate with Lord Granville respecting certain matters relating to Morocco to which attention had been called by M. Mancini.

These were : French protection accorded to the Sheerif of Wasan ; the commercial enterprise of the Count of Chavagnac in the Riff country ; the proceedings of two Associations, namely, the alliance for the propagation of the French language ; and the universal Jewish alliance ; the permanent military mission of the French in Morocco, &c.

The despatch continues that the information received at the Foreign Office in regard to M. Ordega's proceedings agreed substantially with that received by M. Mancini. That Lord Granville stated that his attention had already been called to these facts, and to the tendency they seemed to indicate, but that he was inclined to think that M. Ordega was possibly acting more on his own responsibility than on instructions from his Government. Nevertheless, the affair appeared to the British Government to offer considerable danger even under this hypothesis.

Lord Granville admitted the common interest which Italy, Spain, and England have in the maintenance of the territorial *status quo* in this part of Africa ; and was of opinion that these Powers might with advantage take steps to represent to the French Government the complications which might ensue from the action of their Representative at Tangiers. Such advice might be offered amicably in an unofficial manner, and by the three Powers separately.

The British Government, with a view to the success of this kind of loyal warning, was extremely anxious to avoid any appearance of common action, and especially of a threatening character.

Lord Granville appeared disposed to make a communication to the French Cabinet in the above sense.

In conclusion, Count Nigra states that he had assured Lord Granville that what had passed would be regarded by him as strictly confidential.

No. 84.

Mr. Reade to Earl Granville.—(Received February 25, 5.45 P.M.)

(Telegraphic.)

YOUR telegram No. 2.

Tunis, February 25, 1884, 3.10 P.M.

French Chargé d'Affaires declines to enter upon negotiation for settlement of pending claims without list of the same being furnished to him. I respectfully beg some printed copies of that list may be sent to me.

No. 85.

Memorandum.

IN July last M. Ordega, the French Minister, spoke, in conversation with Sir J. Hay, in strong terms of the misgovernment by the Sultan of Morocco and his Ministers, said that the maintenance of friendly relations became a very difficult task, and that he saw no remedy except that some foreign Power should take possession of Morocco.

He went on to say that it would be a satisfaction to the French Government if Spain would take possession of Morocco ; "if not," he said, "the time must come when we shall be compelled to annex the country, though we do not at present desire it."

M. Ordega seems to have held similar language to the Spanish and Italian Ministers. Upon his return from leave of absence, however, he informed M. Diosdado, the Spanish Minister, that he had been directed by M. Ferry to pursue the same line of policy as that followed by Spain for the maintenance and independence of Morocco.

M. Ordega's attitude towards the Moorish Government does not seem, however, to have been modified in any degree.

There are two questions at this moment upon which M. Ordega is at variance with the Moorish Government :—

1. The proposed visit of a French subject, Count de Chavagnac, to the Reef country, with a view to work certain mines.

The Moorish authorities refuse to allow him to enter the country, on the ground that they cannot answer for his safety in that wild district, whereas M. Ordega maintains that, according to Treaty, foreign subjects have the right to travel, and reside, and to be protected in the territories of the Sultan, and that a refusal to allow Count de Chavagnac to proceed will be equivalent to an admission that the Reef country is not within the dominions of the Sultan.

It would appear that a compliance with M. Ordega's request would be likely to have even fatal results, as the inhabitants of the Reef are of most turbulent character, and it is not considered safe for Moorish subjects, not of Reef extraction, to proceed to the district, and any Europeans who penetrated into the country would be exposed to the

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greatest danger. Applications of European travellers to visit Reef, Soos, Zair, and the Shloh tribes of the Atlas have, as a matter of fact, always been refused by the Moorish Government for this reason.

If the Count de Chavaignac was allowed to cross the frontier in consequence of any letter from the Moorish Government to the Reef Chiefs in the neighbourhood of Peñom, it appears probable that he would be attacked and put to death by other warlike tribes through whose country he would have to pass, and as M. Ordega held the Moorish Government responsible for the safety of the Count, his death might give rise to a most serious question.

2. The extension of French protection to the Shereef of Wazan, one of the most prominent and powerful of the native Chiefs in Morocco.

It is reported that M. Ordega has informed the Moorish Minister that he has received instructions from Paris to inform the Sultan that the Shereef has been taken under French protection on account of services which he had rendered to France in frontier questions with the tribes of Morocco, and that the right to do so is based on the stipulation of Article XVI of the Madrid Convention.

The Article of the Convention runs as follows:—

"No irregular or officious protection shall be granted in future. The authorities of Morocco shall not recognize any rights of protection, whatever may be their nature, other than those which are expressly laid down in the Convention.

"Nevertheless, the exercise of the customary right of protection shall be reserved to those cases alone where it is a question of rewarding signal services rendered by a subject of Morocco to a foreign Power, or for other entirely exceptional reasons."

But it was added:—

"The nature of the services, and the intention of rewarding them by protection shall be previously notified to the Minister for Foreign Affairs at Tangier, in order that he may, if necessary, offer any observations. The final decision shall be reserved, however, to the Government to whom the service shall have been rendered."

But it was agreed that the number of these protected persons should not exceed twelve for each Power, which number was declared to be fixed as a maximum unless the consent of the Sultan was obtained.

It does not, however, appear whether the French Government have notified to the Moorish Government their intention to reward the Shereef of Wazan by protection previously to their conferring it upon him, so that the latter had no opportunity of making any observations thereupon beforehand.

It seems difficult to argue that it was the intention of the Convention of 1880 to allow French protection to be conferred upon a native Sheikh having such powerful adherents as the Shereef Hadj Abdeshelam, without the previous knowledge or consent of the Sultan.

Indeed, this action on the part of the French would seem to be opposed to the general tenour and spirit of the Convention in question.

By Article V of that Convention it was expressly agreed that the Government of Morocco recognized the right (which was accorded by the British and Spanish Treaties, and by the French Convention of 1863 with Morocco) of Ministers, Chargés d'Affaires, and other Representatives to select the persons whom they employed, whether in their personal service, or in that of their Governments, provided always that they were not Sheikhs, or others in the employ of the Government of Morocco.

A single exception was maintained in favour of the Benchimol family by the Convention of 1863, but which, it was added, was not to be held as creating a precedent.

Article XVI of the Convention of 1880 then declared that no irregular or officious protection should be granted in future, and that the authorities of Morocco should not recognize any rights of protection, whatever might be their nature, other than those which were expressly laid down in that Convention.

It appears, moreover, that such protection is equivalent to establishing French jurisdiction over thousands of the population and the greater part of the territory which the Shereef possesses.

Foreign Office, February 25, 1884.

No. 86.

Earl Granville to Mr. Reade.

(No. 7.)

Sir,

Foreign Office, February 25, 1884.

I TRANSMIT to you herewith, for your information and guidance, copies of a correspondence, as marked in the margin* relative to the claims of the Franco-English Tunisian Esparto Fibre Supply Company (Limited) against the French Government, in connection with a Concession under which they claim the right to construct a tramway for the transport of their produce to the coast.

I am, &c.
(Signed) GRANVILLE.

No. 87.

Sir J. Pauncefote to Mr. Surtees.

Sir,

Foreign Office, February 25, 1884.

WITH reference to your letters of the 7th and 31st January, I am directed by Earl Granville to inform you that the claims of the Franco-English Tunisian Esparto Fibre Supply Company (Limited) should be dealt with in accordance with the understanding recently arrived at with the French Government for the settlement of British claims, and that consequently, if an amicable arrangement is not arrived at, recourse must be had to arbitration.

I am, &c.
(Signed) JULIAN PAUNCEFOTE.

No. 88.

Earl Granville to Mr. Reade.

(No. 3.)

(Telegraphic.)

Foreign Office, February 26, 1884, 5:30 P.M.

REPORT whether the French are ready to submit the cases of Benayad and any other cases at once to arbitration.

No. 89.

Mr. Reade to Earl Granville.—(Received February 27, 4 P.M.)

(Telegraphic.)

Tunis, February 27, 1884, 12:40 P.M.

YOUR telegram No. 3.

A meeting is to take place between Benayad and Representative of the Tunisian Government on Friday, the 29th, when I hope to be able to say whether amicable solution is possible. In the meanwhile, French are not prepared for arbitration.

No. 90.

Earl Granville to Mr. Reade.

(No. 8.)

Sir,

Foreign Office, February 27, 1884.

IN compliance with the requests contained in your telegram of the 25th instant, I transmit to you herewith four copies of the list of outstanding claims of British subjects inclosed in your despatch No. 63 of the 11th December, 1883, two of which are printed entire.

Your remarks have, however, been omitted from the two other copies, as it is probable that you may wish to communicate them in this form to the French Chargé d'Affaires.

I am, &c.
(Signed) GRANVILLE.

* See Part V, No. 244; and ante, Nos. 40, 50, and 87.

Earl Granville to Viscount Lyons.

(No. 183. Confidential.)

My Lord,

Foreign Office, February 28, 1884.

THE French Ambassador called upon me this afternoon at my request.

I asked M. Waddington whether he could tell me who would be the Arbitrator on the part of the French Government on the British claims in Tunis.

I said that I was glad to inform him that we had selected Sir A. Dingli, a man of high character and position, as the English Arbitrator.

I then alluded to what his Excellency had so well said in a recent speech as to the frequent contact of the English and French nations in all parts of the world, and the occasion thus given for the occurrence of causes of temporary friction.

I said I believed that attention to the choice of our respective Agents, and to the instructions given to them, was the great preventive of such risks.

I specified some cases, where appointments and changes had been made by us in this view, and some instances where I could have no doubt that conciliatory instructions from the French Government had been very useful. I mentioned the names of some French Agents of whom I had heard great praise, and of others of whom I had received less favourable reports.

I then alluded to M. Ordega, the French Representative in Morocco.

I put officiously into M. Waddington's hands the inclosed Memorandum,* which described several incidents, some of no great importance, and others which were closed, but which in general showed a tone and a spirit which might very easily create unnecessary quarrels.

These, I said, affected the relations between the French Government and ourselves.

There were, however, other proceedings of M. Ordega which were of a different character, and which, from the assurances which I had received from time to time from the French Government, I was convinced were not countenanced by M. Ferry. I believed his policy to coincide with ours, and to be actuated by a desire for the maintenance of the *status quo* in Morocco.

I then gave M. Waddington, also officiously, a further Memorandum, of which I inclose a copy.†

M. Waddington agreed with the general views I had expressed with regard to the conduct of our respective Agents. He seemed to think it possible that some of the personal criticisms I had made were not unfounded.

With regard to Morocco, he assured me in the strongest terms that the policy of France was exactly such as I had described. He said that nothing would be so unwise as for France to create any disturbance in that country.

I am, &c.
(Signed) GRANVILLE.

Mr. Egerton to Earl Granville.—(Received February 29.)

(No. 16.)

My Lord,

THE Bill for the Abolition of the Greek Consular Tribunals in Tunis passed its first and second readings last week, and will shortly receive the final assent of the Chamber.

It consists of two Articles:—

The first abolishes the judicial jurisdiction of the Greek Consular authorities as incompatible with the jurisdiction of the French Courts so long as the latter are in operation.

The second states that lawsuits pending before the Greek Consular authorities will be transferred to the French Courts of Justice, excepting those which are under consideration, and which will only be transferred to the French Court in case of an appeal being made against the judgment given.

I have, &c.

(Signed) EDWIN H. EGERTON.

No. 94.

Mr. Reade to Earl Granville.—(Received February 29.)

(No. 4.)

(Telegraphic.)

Tunis, February 29, 1884.

INTERVIEW between Tunis authorities and General Benayad, referred to in my telegram No. 3, will not take place, French Chargé d'Affaires insisting at the eleventh hour, and as a condition under which the proposed meeting should be held, that it be clearly understood that Benayad's case is the only one which may under any circumstances be submitted to arbitration. This condition I cannot accept, as I believe the claim of the Esparto Company is liable to be treated in the same way. Regarding disposal of a considerable number of the pending cases, I have come to an understanding. Upon most of the bad ones relating to real property I have given way, accepting the course of procedure which the French have from the first insisted on. The Chargé d'Affaires is nevertheless as difficult and exacting as ever. It appears to me the Arbitral Commission should be constituted without further delay unless Tunisian Government is prepared to settle immediately, and instructions come from Paris to treat Benayad's case without reference to any other.

No. 95.

*Earl Granville to Sir S. Lumley.**

(No. 39.)

Sir,

Foreign Office, February 29, 1884.

I TRANSMIT to your Excellency herewith, for your information, copy of a despatch from Her Majesty's Ambassador at Paris relative to the views of the French Government with regard to the Tunisian debt.†

I am, &c.

(Signed) GRANVILLE.

* Also to Mr. Reade (No. 9).

† No. 78

M. d'Estournelles to Sir J. Pauncefoot.—(Received February 29.)

Cher Sir Julian,

Tunis, le 25 Février, 1884.

MR. READE est revenu et m'a laissé comprendre que vous espériez que j'aurais pu arranger à l'amiable une partie des affaires pendantes entre vos nationaux et le Gouvernement Tunisien.

C'est en effet ce que j'ai cherché aussitôt arrivé ici; mais à peine avais-je fait venir Ben Ayed et causé avec lui que j'ai compris l'impossibilité absolue, le danger sans limites de vouloir régler ses affaires au fur et à mesure, avant de savoir quel en était le nombre; sans en avoir la liste préalablement arrêtée par lui.

Si non il en exhuma tous les jours de nouvelles.

Ben Ayed l'a compris et s'y est prêté de bonne grâce; il est venu m'apporter sa liste.

Dans l'intervalle je vous avais écrit et j'avais écrit à Paris pour demander non seulement la liste des affaires Ben Ayed, mais de toutes les réclamations Anglaises; on me répondit qu'on me l'envierait; j'attendais, pour commencer plus tôt, votre réponse, que j'espérais recevoir avant la lettre officielle.

Je n'ai absolument rien reçu, ni de Paris, ni de Londres, ni de vous.

J'ai fait venir Ben Ayed; je lui ai expliqué ce que j'attendais, lui ai consulté d'écrire à Mr. Reade, auquel il a télégraphié afin qu'on m'envoie cette liste.

Je ne pouvais et ne pourrai pas commencer par Ben Ayed tout seul sans savoir à l'avance quel est l'ensemble des réclamations que j'ai à transmettre au Gouvernement Tunisien et à faire résoudre: sinon, ce ne sera jamais fini.

Que Mr. Reade m'établisse une liste de toutes les réclamations que présentent ses nationaux contre le Gouvernement Tunisien, et s'il me l'apporte demain,—demain je commence à examiner chaque article de cette liste. Les catégories se formeront d'elles-mêmes.

Une première partie sera, je l'espère, possible à arranger: j'ai déjà désigné le fonctionnaire Français du Gouvernement Tunisien qui sera chargé de ce règlement. Le Général Ben Ayed a été tout à fait heureux de ce choix quand je le lui ai fait connaître.

Une seconde catégorie sera composée des affaires sur lesquelles à l'avance tout accord est reconnu impossible et celles-là, avec les affaires de la première catégorie qui n'auront pu être arrangées, iront à l'arbitrage.

Une troisième cession comprendra celles qui ne sont pas dans les conditions prévues par notre arrangement. Si Mr. Reade s'est pénétré du texte de cet accord, cette troisième catégorie ne devra pas même exister.

Rien ne serait donc plus simple si j'avais la base du règlement qu'on me demande que d'arriver à une solution; quant à m'engager dans des négociations amiables sans savoir la limite où je dois m'arrêter, cela m'est impossible. Mr. Reade m'a promis de m'apporter la liste qui constituera cette base le plus tôt possible.

Le Gouvernement Tunisien, de son côté, est prêt; rien ne nous empêchera de commencer et d'en finir promptement.

Ce premier travail de conciliation et d'élimination une fois fait, il ne nous restera de part et d'autre qu'à nommer les arbitres pour celles des réclamations qui n'auront pas pu être arrangées et qui seront de la compétence des dits arbitres.

Votre, &c.

(Signé) P. D'ESTOURNELLES.

P.S.—C'est en établissant ainsi une liste et des catégories que le Gouvernement Italien a procédé: le plus grand nombre pour ne pas dire toutes ses affaires ont été arrangées immédiatement.

Je viens de faire connaître à Paris les motifs sur lesquels je me suis fondé pour ne pas admettre le petit nombre qui reste; nous savons ainsi, de part et d'autre, à quoi nous en tenir.

P. D'E.

M. d'Estournelles to Sir J. Pouncefote.—(Received February .)

Cher Sir Julian,

Tunis, le 27 Février, 1884.

MA lettre était à peine partie que Mr. Reade m'envoyait sa liste: c'est celle qu'il a remis au mois de Décembre à M. Cambon. Je lui ai demandé si elle était définitive, et, sur sa réponse affirmative, nous avons commencé aussitôt.

Dès à présent je puis vous dire qu'il n'y a que le Mémoire Ben Ayed: tout le reste n'aura rien à voir avec l'arbitrage; c'est déjà arrangé ou s'arrangera par les voies ordinaires.

Mr. Reade a ajouté la réclamation de MM. Hough, &c. (Esparto Grass Company); je ne lui en ai pas encore parlé pour ne pas embrouiller ses idées; mais il ignore que le Gouvernement Tunisien et cette Société se sont engagés (Article 7 de leur contrat), à s'adresser au Tribunal Français dans le cas où ils auraient des contestations. Nous n'avons donc pas à nous occuper d'eux.

Si j'avais pu avoir cette liste il y a un mois, c'est-à-dire, savoir que c'était la première, et qu'elle était définitive, nous aurions fini aujourd'hui.

Votre, &c.
(Signé) D'ESTOURNELLES.

Sir J. Drummond Hay to Earl Granville.—(Received March 1.)

(No. 14. Confidential.)

My Lord,

Tangier, February 22, 1884.

WITH reference to my despatches No. 5 of the 17th January, No. 6 of the 20th January, No. 8 of the 25th January, and No. 12 of the 14th February, regarding Count de Chavagnac, and the demand put forward by M. Ordega that he should be allowed to travel in the Reef country, the Secretary of Cid Mohammed Bargash informed me yesterday, confidentially, that the Sultan, at the demand of M. Ordega, has removed Kaid Emkished from the Governorship of Urriagol, in Reef, on account of his having declined to accede to the demands made by M. Ordega, and that His Shereefian Majesty has given orders that Count de Chavagnac, or any other foreign subject, shall be allowed to travel in the Reef country on condition that no responsibility shall rest with the Moorish Government for loss of life or property.

It would appear that the Sultan has decided on acceding to the demands of M. Ordega on account of the menacing language he had made use of, and that His Shereefian Majesty feared a refusal might bring about a rupture of relations with France.

I have, &c.
(Signed) J. H. DRUMMOND HAY.

Sir J. Drummond Hay to Earl Granville.—(Received March 1.)

(No. 15. Confidential.)

My Lord,

Tangier, February 23, 1884.

M. DIOSDADO informs me that in the course of conversation with M. Ordega, the latter expressed himself in very decided terms regarding the fate of this country, and said that the "obstructive" policy pursued by him (M. Diosdado) and by myself in upholding the Sultan and his Government would be of no avail.

M. Diosdado observed that if France sent 40,000 men across the frontier, he agreed that the "obstructive" policy, as he chose to style it, could not stop their advance and conquest of the country, but such an event might produce grave consequences.

M. Ordega said he was cognizant of the language I had held to the Sultan, and that I had also spoken in the name of Spain.

M. Diosdado replied that Spain and England have a common interest in upholding the independence and integrity of Morocco, and, as he did not hesitate to communicate

to me freely his views on this subject, he thought it was not unlikely that I might have informed the Sultan that our views were identic, and that Spain, as well as England, desired that His Shereefian Majesty should do all in his power to satisfy the just demands of France, or of other foreign Powers.

M. Ordega observed, "do you not know that England will seize Tangier when she has an opportunity?"

M. Diosdado said he knew not what might happen on the part of England or of Spain under certain contingencies.

I observed to M. Diosdado that M. Ordega frequently ventures on remarks of this kind without the slightest grounds with the view of eliciting a reply, which might give him an insight into the views of his hearers.

M. Ordega told M. Diosdado that England had requested France to send 20,000 troops to put down the Mahdi in Egypt, for England had engaged in a task which was beyond her strength, and he intimated that our hands were consequently full at the present time.

In alluding to the subject of the protection granted to the Shereef of Wasan, M. Ordega said that France would derive no great advantages thereby, for that Morocco would be "kicked out," and to express this more clearly he made a gesture with his foot, the day an army of 20,000 men was dispatched to this country.

An intimate friend of one of the officers of the French Legation states that the latter told him that M. Ordega was to be the "Roustan" of Morocco.

I hear that M. Ordega is making preparations to go to the Moorish Court this spring.

I have, &c.
(Signed) J. H. DRUMMOND HAY.

P.S.—With reference to my despatch No. 92, Secret, of the 15th November last, I shall take care to repeat my warning to His Shereefian Majesty to be on his guard.

J. H. D. H.

Mr. Surtees to Earl Granville.—(Received March 1.)

*The Franco-English-Tunisian Esparto Fibre Supply Company (Limited),
72, Bishopsgate Street Within, March 1, 1884.*

My Lord

I HAVE the honour to acknowledge receipt of your Lordship's communication dated the 26th ultimo, by which you signify to this Company that its claim for compensation in consequence of the refusal by the authorities to allow the construction of a railway, or tramway, in Tunis, will be referred to arbitration, if not otherwise settled. I beg to say that from a communication the Company has had the honour of receiving from the Minister Resident, M. Cambon, there appears to be no possibility of any amicable arrangement being arrived at, and would further beg that your Lordship have the case definitely fixed for arbitration.

The Company will send an answer to M. Cambon, and forward copy of same, also copy of M. Cambon's letter to the Company, to the Foreign Office.

I have, &c.
(Signed) R. W. SURTEES, Secretary.

Mr. Reade to Earl Granville.—(Received March 2, 4 P.M.)

(No. 5.)

(Telegraphic.)

Tunis, March 2, 1884.

DIFFERENCE with French Chargé d'Affaires referred to in my telegram of yesterday regarding questions for arbitration is, I believe, terminated. Chargé d'Affaires withdraws from position he took on my engaging to refer to your Lordship for instructions as to the mode in which the welfare of the Esparto Grass Company should be dealt with.

Mr. Surtees to Earl Granville.—(Received March 3.)

*The Franco-English-Tunisian Esparto Fibre Supply Company (Limited),
72, Bishopsgate Street Within, March 3, 1884.*

My Lord,

CONFIRMING my letter of the 1st instant, I now have the honour of inclosing to your Lordship the following documents, viz. :—

1. Copy, letter received from the Minister Resident at Tunis, M. Cambon, dated the 23rd February, 1884.

2. Copy, letter addressed by me to M. Cambon, dated the 1st March, and

3. Copy, letter addressed by Dr. Mattei to M. Cambon, dated the 3rd March.

The above-named papers show to your Lordship the position in which the claim of this Company against the French authorities in Tunis now rests, and as there is no chance whatever of an amicable settlement being arrived at, I beg that your Lordship will have the date of the arbitration finally fixed.

I beg, &c.

(Signed) R. W. SURTEES, *Secretary.*

Inclosure 1 in No. 101.

M. Cambon to Mr. Surtees.

M. le Président,

Paris, le 23 Février, 1884.

J'AI l'honneur de vous accuser réception de votre lettre du 31 du mois dernier, relative à l'entretien que j'ai eu avec M. Mattei au sujet de la construction par votre Compagnie du chemin de fer qui doit relier la Baie de Skira au district de Bou Hedma. Les difficultés que ont occasionné cette entrevue ont déjà fait l'objet d'observations transmises, en votre nom, au Gouvernement Tunisien à la date du 27 Octobre, 1883.

Les divergences de vues que vous me signalez en ce qui concerne les droits et obligations de la Compagnie proviennent principalement, dans mon opinion, de la valeur que celle-ci continue d'attribuer à l'acte initial de concession accordé par le Bey à M. Duplessis. Cet acte, comme vous le savez, pour devenir exécutoire, devait être soumis à l'approbation de la Commission Financière. Celle-ci a diminué dans de notables proportions l'étendue des attributions de terrains faites primitivement, et a exigé la signature d'un cahier des charges dont votre Société s'est engagée à exécuter les clauses dans leur intégralité. La nécessité de réduire à de plus justes limites l'acte émané du feu Bey n'avait pas été constatée seulement par le Gouvernement indigène actuel et par le Gouvernement Français. L'Angleterre aussi s'était émue de l'étendue de cette Concession et, par une dépêche en date du 30 Mars, 1882, le Représentant de Sa Majesté Britannique à Paris a insisté auprès de M. de Freycinet pour que les privilèges attribués aux concessionnaires fussent soumis à une réduction dans le plus bref délai possible. La démarche du Chargé d'Affaires d'Angleterre n'a fait que hâter une mesure dont la nécessité s'imposait. L'acte Beylical a été, en conséquence, produit devant la Commission Financière, qui l'a modifié dans le sens prévu à la fois par le Gouvernement Britannique et par le Gouvernement Français. La nouvelle Convention signée par vous à cette occasion est désormais la seule qui puisse être invoquée dans l'affaire qui nous occupe.

Indépendamment des changements apportés aux limites de la Concession, le nouveau texte, de même que le cahier des charges, a déterminé, d'une manière plus précise, les conditions dans lesquelles le chemin de fer de Skira à Bou Hedma serait construit. Le bénéficiaire n'a plus la faculté de construire à son choix un chemin de fer ou un tramway; il doit établir un chemin de fer à traction de locomotives (Article 14). De plus, l'Article 2: "Toutes les conditions d'établissement du chemin de fer doivent être arrêtées sur la production de projets d'ensemble, comprenant pour la ligne entière ou pour chaque section de la ligne un plan général à l'échelle de 1/10000, un profil en long à l'échelle de 1/5000 pour les longueurs et de 1/10000 pour les hauteurs, &c." Les différentes pièces exigées par cet Article n'ont jamais été soumises par vous au Gouvernement du Bey; M. Mattei s'est borné à remettre au Directeur des Travaux Publics dans la Régence, le 2 Février, 1883, une note sur les éléments essentiels de la construction. Les conclusions de cette note complétée par quelques communications ultérieures se résument en ceci: voie de 84 centim. de largeur, rails du poids de 10 kilom. 420 m. le mètre courant. Au moment même où il reçut ces pièces, M. Grand fit remarquer qu'elles étaient insuffisantes et ne répondaient pas aux exigences du cahier des charges. Quant aux conclusions

mêmes proposées par votre représentant, le Directeur des Travaux Publics en Tunisie fit observer que les poids des rails paraissaient insuffisants, tant à cause de l'obligation où vous êtes d'employer des machines locomotives, qu'en raison de l'étendue considérable des terrains dont vous vous êtes engagés à assurer l'exploitation. Enfin, M. Grand nota qu'il y aurait avantage, à la fois pour la Compagnie et pour le Gouvernement, à l'adoption d'une voie de 1 m. 10 c. d'axe en axe des rails. Dans ces conditions, le chemin de fer pourrait se prolonger sur Gapa, ce qui assurerait à la Société le bénéfice du trafic de cette région. D'ailleurs, l'augmentation du poids des rails une fois admise, l'accroissement de la largeur de la voie n'imposait plus qu'une charge de peu d'importance. M. Mattei déclara vouloir en référer à la Société.

L'affaire en est demeurée là jusqu'aujourd'hui. Faute par vous de produire les pièces énumérées dans l'Article 2 de votre cahier des charges, le Gouvernement Tunisien n'a pu autoriser le commencement de travaux dont il lui était impossible d'apprécier suffisamment la nature et la valeur. Je ne puis douter que vous ne reconnaissiez la justesse des observations qui précèdent; vous pouvez être assuré que les plans et projets dont l'autorité locale réclame la production seront examinés dans le plus bref délai dès que vous en aurez effectué le dépôt.

Quant à l'entretien que j'ai eu personnellement avec M. Mattei, il n'a eu d'autre caractère que celui d'une conversation privée; c'est à titre de conseil seulement, et je ne pourrais que lui renouveler ce conseil, que je l'ai engagé à retirer une demande d'indemnité dirigée contre le Gouvernement du Bey, qui ne se justifie à aucun point de vue, et qui aurait chance de rendre moins facile le règlement des difficultés pendantes.

Veillez, &c.

(Signé) PAUL CAMBON.

Inclosure 2 in No. 101.

Mr. Surtees to M. Cambon.

*The Franco-English-Tunisian Esparto Fibre Supply Company (Limited),
72, Bishopsgate Street Within, March 1, 1884.*

Your Excellency,

ON behalf of the above Company, I have the honour to acknowledge the receipt of your communication dated the 23rd ultimo on the subject of the indemnity claim which has been preferred by the said Company on account of the serious damages caused to it by the refusal of the authorities at Tunis to allow the construction of a railway, or tramway, in conformity with the terms of a Beylical Concession, of which they are the recognized holders.

In reply, I feel bound to state that a complete divergence of views exists between your Excellency and the Company as to the facts of the dispute, and that the Company regret to be wholly unable to accept the position which your Excellency assumes on the subject. The Company, however, with a view to the coming arbitration, refrains from answering your letter in detail, as the important interest intrusted to its care compels me to limit my observations on this occasion to an expression of complete inability to accept the statement of facts contained in your Excellency's letter.

I have, &c.

(Signed) R. W. SURTEES, *Secretary.*

Inclosure 3 in No. 101.

M. Mattei to M. Cambon.

Sir,

Goldsmith Building, Temple, London, March 3, 1884.

REFERRING to your letter dated Paris, the 23rd February, 1884, I do myself the honour to remind your Excellency that it was in accordance with your desire that I communicated to the Directors of the Franco-English-Tunisian Esparto Supply Company your Excellency's proposition, which your Excellency prefers being called "advice." In fact, it was a condition *sine qua non*, that your Excellency should first receive a letter from the Directors announcing their claims for compensation, and then your Excellency would have written to Tunis for the authorization for the construction of the Company's railway, as proposed. I promised your Excellency to communicate your proposition or advice to the Directors, and convey to your Excellency their decision on this matter.

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A meeting of Directors was specially held, and, after due consideration, they arrived at the decision, which was duly made known to your Excellency.

I have, &c.
(Signed) ALFRED MATTEI.

No. 102.

Sir S. Lumley to Earl Granville.—(Received March 4.)

(No. 39.)

My Lord,

Rome, February 28, 1884.

AT the sitting of the Chamber of Deputies to-day, M. Mancini, the Minister for Foreign Affairs, laid before the House a Bill concerning the suspension of Italian Consular jurisdiction in Tunis, together with the diplomatic documents relating to this question.

I have, &c.
(Signed) J. SAVILE LUMLEY.

No. 103.

Earl Granville to Sir J. Drummond Hay.

(No. 5.)

Sir,

Foreign Office, March 4, 1884.

I HAVE received your despatch No. 7, Secret, of the 20th January, on the subject of the protection lately granted by the French Government to the Shereef of Wazan; and I approve the language which you have held to this functionary, as well as to Cid Mohammed Bargash, with reference to this proceeding, as reported in your despatch.

With reference to the statement which appears to have been made by the French Government, that the Shereef Hadj Abdessalam had been taken under French protection on account of services which he had rendered to France in frontier questions with the tribes of Morocco, in accordance with rights granted by the Madrid Convention, I have to request that you will ascertain and report to me whether the services thus said to have been rendered had been stated beforehand by the French Government to the Moorish Government, in accordance with Article XVI of the Madrid Convention, which says:—

"The nature of the services, and the intention of rewarding them by protection, shall be previously notified to the Minister for Foreign Affairs at Tangier, in order that he may, if necessary, offer any observations," &c.

I am, &c.
(Signed) GRANVILLE.

No. 104.

Sir J. Drummond Hay to Earl Granville.—(Received March 5.)

(No. 16. Confidential.)

My Lord,

Tangier, February 26, 1884.

WITH reference to my despatch No. 14 of the 22nd instant, I am informed by one of my colleagues that M. Ordega had read to him a despatch he had received from the French Government, in which his zeal and firmness in the conduct of the question with the Moorish Government regarding the right of the Count de Chavagnac, and French citizens in general, to travel in Reef, or other parts of Morocco, is commended, and the services he has rendered are rewarded by his promotion to the rank of Envoy Extraordinary and Minister Plenipotentiary of the First Class. M. Ordega is, however, told that the French Government is very desirous to avoid untoward questions with the Moorish Government, which might rouse the susceptibilities of other foreign Powers, and it is recommended that he should discourage travellers from going to the Reef or other parts of Morocco, where the Sultan has little power of control over his subjects; and it is stated that should they do so it will be on their own responsibility, and no claims for compensation for loss of life or property would be supported by the French Government.

My informant added the despatch left the impression upon his mind that the French Government approved the zeal of M. Ordega, but disapproved of the menacing attitude he had assumed in this question.

Cid Mohammed Bargash tells me that M. Ordega had informed him he considered the question about M. de Chavagnac and the Reef at an end.

I have, &c.
(Signed) J. H. DRUMMOND HAY.

No. 105.

Mr. Reade to Earl Granville.—(Received March 5.)

(No. 7.)

My Lord,

Tunis, February 27, 1884.

THE Baron d'Estournelles being in temporary charge of the French Residency, I took an early opportunity, after my return from England, of communicating with him on the subject of the outstanding claims of British subjects, and, as will have been gathered from my telegram No. 2 of the 24th, he declined to enter into any negotiation for their settlement until some formal list of those claims were furnished to him. I was able, however, to supply the required list, on the following day, by availing myself of a printed copy I had brought from the Foreign Office for my private use; and we have since been almost daily engaged in a careful investigation of the various cases.

With regard to a considerable number of those cases, I am happy to say we have arranged for their immediate or early settlement. The interdictory orders under which, as complained of by the Sfax claimants, the latter have, for some time past, been prevented from recovering sums due to them from native debtors, have been rescinded, and instructions are to be given to the local authorities of Susa to inquire into and determine the various matters of complaint that emanate from that part of the Regency.

The claim of Mr. Levy, of London, to be indemnified for land of which he has been expropriated by the French military authorities at Gabes is to be referred to arbitrators selected by the interested parties.

Mr. Scicluna's claim for damages of a similar nature is also to be dealt with in the same way.

A meeting has, furthermore, been agreed upon between General Benayad and M. Bompard, the Secretary-General of the Tunisian Government, for the purpose of discussing the subject of his claims against the Tunisian Government, and coming, if possible, to an amicable settlement with regard to them.

On the other hand, there are a few cases which it is difficult, if not altogether impossible, to bring to a satisfactory solution; and, so long as the Tunisian Government or French authorities persist in giving effect to theories which are opposed to Treaty and established usage, as well as prejudicial to the peace and tranquillity of British subjects, I do not see how we can ever come to a common understanding in the matter. I refer more particularly to the pretended right of the municipal authorities to expropriate private individuals, without first conforming with the Rules specified by Treaty (Articles XI and XII of the Convention of the 10th October, 1863) for regulating the indemnity to be paid to the parties expropriated, and to the licence which the Tunisian Government claims of entering and inspecting State property while under lease to, and in the occupancy of, British subjects, and without the concurrence of either the latter or their Consular authority.

I should not omit to state, with regard to the list of British claims I gave to the French Chargé d'Affaires, that I added thereto the claim of the Esparto Company, and represented the case in terms which are given on a paper hereto annexed.

I have, &c.
(Signed) THOS. F. READE.

P.S.—Inclosed I beg to submit copies of communications which passed between the French Chargé d'Affaires and myself with regard to the examination by us of the British claims.

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Inclosure 1 in No. 105.

Mr. Reade to the Baron d'Estournelles.

Sir, Tunis, February 25, 1884.
 WITH reference to the understanding which has been come to between our respective Governments regarding the settlement of all outstanding claims of British subjects in this Regency, I have the honour to inform you that I am vested with all the authority necessary for arranging as to the manner in which the proposed settlement shall be at once proceeded with.

To facilitate such an arrangement, and comply at the same time with a wish you have expressed to that effect, I beg to inclose a printed list of those claims.

It is scarcely necessary I should add that whenever you may feel disposed to treat with me on the subject of these claims I shall be happy to meet you at the French Residency.

From the list I have taken the liberty of striking out some remarks which I have felt it my duty to submit to Her Majesty's Government, and which were intended for them alone.

I have only to remark, in conclusion, that, although not included in the above list, the case of Mrs. Levy, widow of the late claimant of the Enfida estate, who has not yet succeeded in receiving from the "Société Marseillaise," or "Franco-Africaine," the amount allotted to her husband for the abandonment of all pretensions to that property, may possibly again be brought forward to the notice of our respective offices.

I have, &c.
 (Signed) THOS. F. READE.

Inclosure 2 in No. 105.

The Baron d'Estournelles to Mr. Reade.

M. l'Agent et Consul-Général, Tunis, le 25 Février, 1884.
 J'AI l'honneur de vous accuser réception de la liste que vous venez de m'envoyer des réclamations présentées par des sujets Anglais.

Avant d'examiner avec vous cette liste, dont communication a déjà été donnée à la Résidence par vos soins au mois de Décembre dernier, je vous serais reconnaissant de me faire savoir si elle a un caractère définitif. M. Cambon a déjà prié, comme moi, M. le Ministre des Affaires Étrangères de vouloir bien consulter à cet égard le Cabinet de Londres. Nous n'avons reçu aucune réponse.

Je me vois obligé d'insister sur ce point. L'exemplaire imprimé que vous m'envoyez aujourd'hui contient en effet une affaire nouvelle et votre lettre fait pressentir également la possibilité d'une autre réclamation.

Je vous prie de vouloir bien m'éclairer à cet égard. Je n'ai pas moins hâte que vous d'aboutir à une solution, et je serai heureux de me rencontrer avec vous dès que j'aurai reçu votre réponse.

Agréez, &c.
 (Signé) P. D'ESTOURNELLES.

Inclosure 3 in No. 105.

Mr. Reade to the Baron d'Estournelles.

Sir, Tunis, February 25, 1884.
 IN reply to your query as to whether the list I this day communicated to you of British claims for settlement under the agreement to which our respective Governments lately came is definitive in character, I beg to state that it is so.

The list in question is as complete as I have been able to make it, and there may be cases omitted therefrom which have been inadvertently overlooked. If so, the latter will have to come under the jurisdiction of the French or local Tribunals.

I have, &c.
 (Signed) THOS. F. READE.

Inclosure 4 in No. 105.

The Baron d'Estournelles to Mr. Reade.

M. l'Agent et Consul-Général, Tunis, le 25 Février, 1884.
 JE viens de recevoir la lettre par laquelle, en réponse à la demande que je vous adressais, vous voulez bien me faire savoir que la liste, dont vous m'aviez fait l'envoi par votre première communication de ce jour, est définitive.

Puisque vous voulez bien me demander un rendez-vous à la Résidence, je serais heureux de pouvoir commencer dès demain, Mardi, avec vous, entre 10 heures et midi, ou à tout autre moment qui vous conviendrait davantage, l'examen de cette liste.

Agréez, &c.
 (Signé) P. D'ESTOURNELLES.

Inclosure 5 in No. 105.

Claim of Esparto Company, as stated in List of outstanding Claims of British Subjects.

Name of Claimant.—Franco-English-Tunisian Esparto Fibre Supply Company (Limited).

Nature of Claim.—Compensation for damages occasioned to the claimants through the action of the Tunisian or French authorities by prohibiting the construction of a tramway, in conformity with the terms of a Concession formally granted to that effect by the Tunisian Government, and thereby prejudicially interfering with the business and objects of the Company.

No. 106.

Mr. Reade to Earl Granville.—(Received March 5, 4.40 P.M.)

(No. 6.) Tunis, March 5, 1884, 11.45 A.M.
 (Telegraphic.)

WITH reference to my telegram No. 5 of the 1st instant, difficulty with French Chargé d'Affaires respecting Benayad case is not, as I hoped, terminated. He refuses to treat for amicable settlement until it is decided whether 7th Article of Decree of Concession to Esparto Company, as stated in first inclosure of Foreign Office despatch of 25th ultimo, just received, does not eliminate all claim of that Company from cases for arbitration. It has long been evident to me that notwithstanding assurances of the contrary, the main object of the Chargé d'Affaires is to avoid coming to any solution whatever of the affair. In dealing with the other case, he is equally exacting and devoid of conciliation. I therefore earnestly, but respectfully, trust it may be your Lordship's pleasure to press for an immediate recourse to arbitration.

No. 107.

Earl Granville to Viscount Lyons.

(No. 211. Confidential.)
 My Lord,

Foreign Office, March 5, 1884.

THE French Ambassador returned to me this afternoon the two Confidential Memoranda which I had given to his Excellency respecting the proceedings of French agents in Morocco, of which copies were inclosed in my despatch No. 183 of the 28th ultimo.

M. Waddington said that he had written to M. Ferry upon the subject of these papers. He remarked that the cases referred to in that which concerned the demeanour of the French Consular authorities towards British agents and subjects were small matters, and not of any great importance.

I said that they seemed to me to be of just sufficient importance to make it desirable to give or to repeat instructions to the officers in question to cultivate friendly relations with their British colleagues, and to treat British subjects with consideration.

I had no doubt that such instructions would produce an excellent effect.

M. Waddington then spoke of the other Memorandum, which related to the

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proceedings of M. Ordega. His Excellency said that M. Ordega seemed to be imprudent in his language; that he had written to M. Ferry on the subject, but that he was convinced that if M. Ordega was acting in the manner described, it was without the sanction of the French Government. M. Waddington went on to say that there was no class either of politicians or of the general public in France which was in favour of an aggressive attitude towards Morocco, that he believed the policy of the French Government was identical with that of Great Britain, and that they wished the Spanish Government to be free to take whatever line they thought fit.

I said that our policy was, as I had supposed that of the French Government to be, to maintain the *status quo* in Morocco.

I am, &c.
(Signed) GRANVILLE.

No. 108.

*Earl Granville to Sir S. Lumley.**

(No. 47. Confidential.)
Sir,

Foreign Office, March 5, 1884.

I TRANSMIT to you herewith, for your information, copies of despatches as marked in the margin,† upon the subject of certain questions in dispute between the French and Moorish Governments, and the attitude of the French Minister at Tangier.

I am, &c.
(Signed) GRANVILLE.

No. 109.

Earl Granville to Sir J. Drummond Hay.

(No. 6. Confidential.)
Sir,

Foreign Office, March 5, 1884.

I TRANSMIT to you herewith, for your information, copy of a despatch which I have addressed to Her Majesty's Ambassador at Paris,‡ recording a conversation which I have had with M. Waddington upon the subject of the relations between France and Morocco.

I am, &c.
(Signed) GRANVILLE.

No. 110.

Mr. Wingfield to Sir J. Pauncefote.—(Received March 6.)

Sir,

Downing Street, March 6, 1884.

WITH reference to the letter from this Department of the 22nd February relative to the proposed employment of Sir A. Dingli as English Arbitrator in the matter of the British claims against the Regency of Tunis, I am directed by the Earl of Derby to transmit to you a copy of a despatch received from the Governor of Malta on the subject, and I am to request that Lord Derby may be favoured with an early answer to my letter of the 22nd February referred to.

I am, &c.
(Signed) EDWARD WINGFIELD.

* Also to Sir R. Morier (No. 25.)

† Nos. 91, 98, and 99.

‡ No. 91.

Inclosure in No. 110.

Governor Sir A. Borton to the Earl of Derby.

(Confidential.)

My Lord,

Palace, Valetta, February 25, 1884.

WITH reference to your Lordship's despatch, Confidential, of the 14th instant, I have the honour to inform your Lordship that I caused Sir Adrian Dingli to be informed by the Chief Secretary of the contents of that despatch.

2. As a result of the interview, I telegraphed to your Lordship that the services of Sir A. Dingli were at the disposal of Lord Granville; that it would be convenient for him to start for Tunis on or about the 28th March and to return to Malta by the 18th April; but that if necessary he could start on the 12th March and prolong his stay at Tunis by a week or ten days.

3. If Sir A. Dingli starts before the 28th March, and stays in Tunis later than the 18th April, some of the sittings of the Court of Appeal will be interfered with, but arrangements can be made for carrying on the work of the Court without serious public inconvenience.

I have, &c.
(Signed) A. BORTON.

No. 111.

Messrs. McNaught, Pearse, and Middleton to Earl Granville.—(Received March 8.)

My Lord,

9, Crosby Square, March 7, 1884.

WITH reference to your Lordship's communications of the 2nd and 21st ultimo, informing us that Her Majesty's Government was in expectation of a reply from the Moorish Government to the representations which your Lordship directed to be made by Her Majesty's Minister at Tangier, we most respectfully solicit your Lordship to assist us in the furtherance of our claim by directing Sir J. D. Hay to furnish W. L. A. Cohen, our agent in Tangier, with a letter, in such terms as he may deem expedient, to His Majesty the Sultan or his Ministers, placing him in a position to personally, on our behalf, endeavour to obtain the justice we seek at the hands of the Moorish Government.

Provided with such authority, our agent would start immediately for Mequinez, where probably he could at once obtain an audience at the Moorish Court.

We venture to crave this assistance from your Lordship, in the belief that the gentleman to be intrusted with the mission might render unnecessary other steps of a more serious character, and at the same time hasten the settlement of a question which has been for so long pending, and which is of the greatest importance to us and the commercial community at large.

We have, &c.
(Signed) McNAUGHT, PEARSE, AND MIDDLETON.

No. 112.

*Earl Granville to Viscount Lyons.**

(No. 200. Confidential.)

My Lord,

Foreign Office, March 8, 1884.

I TRANSMIT herewith, for your Excellency's information, the substance of a despatch from Count Nigra to M. Mancini, respecting the affairs of Morocco, which was communicated to me by Count Nigra on the 25th ultimo.†

I am, &c.
(Signed) GRANVILLE.

* Also to Sir S. Lumley (No. 50), Sir J. Drummond Hay (No. 7), and Sir R. Morier (No. 26).
† See No. 83.

Earl Granville to M. Waddington.

M. l'Ambassadeur,

Foreign Office, March 8, 1884.

I HAVE already had the honour to inform your Excellency, in conversation, that Her Majesty's Government have selected Sir A. Dingli to act as English Arbitrator in the case of certain British claims upon the Government of Tunis; and I have now the honour to state to your Excellency that it would be very convenient, having regard to the sittings of the Court of Appeal at Malta, and to Sir A. Dingli's official duties there, if the French Government would agree to the Arbitrators entering upon their functions on the 1st April next.

I should be greatly obliged if your Excellency would favour me with an early answer on this point.

I am, &c.
(Signed) GRANVILLE.

No. 114.

Sir J. Pauncefote to Sir R. Herbert.

Sir,

Foreign Office, March 8, 1884.

I HAVE laid before Earl Granville your letters of the 22nd ultimo and 6th instant, relative to the employment of Sir A. Dingli as English Arbitrator in the matter of the British claims against the Regency of Tunis, in the latter of which you inclose a copy of a despatch from the Governor of Malta, from which it appears that Sir A. Dingli would be prepared to start for Tunis on or about the 28th instant, and to return to Malta by the 18th proximo, although, if thought necessary, his arrival at Tunis might be expedited, and his departure somewhat delayed.

I am now directed to express Lord Granville's satisfaction at Sir A. Dingli's acceptance of the office of Arbitrator; but I am to add that his services will not be required before the 1st April, on which day Her Majesty's Government trust that the French Government will agree to open the arbitration.

Lord Granville is in communication with the French Ambassador on this subject, and will not fail to cause Lord Derby to be informed of the result as soon as possible.

I am, &c.
(Signed) JULIAN PAUNCEFOTE.

No. 115.

Sir J. Drummond Hay to Earl Granville.—(Received March 10.)

(No. 17. Confidential.)

My Lord,

Tangier, March 1, 1884.

WITH reference to my despatch No. 15 of the 23rd ultimo, wherein I mentioned that M. Ordega intended to visit the Moorish Court this spring, I learnt yesterday from a colleague that M. Ordega had told him, in the course of conversation, that he had received instructions from Paris not to visit the Sultan, as there was no subject in discussion which required his presence at the Moorish Court.

M. Ordega added that the French Government thought, under these circumstances, a Mission to the Moorish Court might give rise to misapprehensions on the part of other foreign Governments, whereas it was the anxious desire of the French Government to maintain the most friendly relations with the Sultan.

It is evident that the French Government has given M. Ordega to understand that they do not desire to have a Morocco question brought on the tapis at the present time.

I have, &c.
(Signed) J. H. DRUMMOND HAY.

Sir J. Pauncefote to the Law Officers of the Crown and Dr. Deane.

Gentlemen,

Foreign Office, March 10, 1884.

I HAVE the honour to transmit to you, by direction of the Secretary of State, the papers noted in the accompanying list,* which relate to the claim of the Franco-English Tunisian Esparto Fibre Company to compensation on account of the refusal of the French authorities in Tunis to allow them to construct a tramway for the conveyance of their produce, which right they claim as holders of a Concession granted by the Bey of Tunis to a French subject, the late M. René du Plessis.

The original Concession was sold by M. du Plessis to Mr. E. J. Hough, of London, from whom the Company afterwards acquired it by purchase.

For detailed particulars as to the Company's claims, and their present position, I am to refer you to the Company's letters of the 18th December, 1883, 7th January, 1884, and the 3rd instant, marked A, B, and E respectively.

In reply to their representations the Company were informed by this Office on the 25th ultimo that their claims should be dealt with in accordance with the understanding recently arrived at with the French Government for the settlement of outstanding British claims upon the occasion of the abandonment of the right of British Consular jurisdiction in Tunis; and that, consequently, if an amicable arrangement was not effected, recourse must be had to arbitration.

Such was the agreement come to with M. Waddington, the French Ambassador at this Court, with regard to this particular class of claim, as will be seen on reference to documents Nos. 30, 34, 38, and 39 in the Parliamentary Paper marked (C) which is annexed.

It appears, however, from a telegram from Her Majesty's Agent and Consul-General at Tunis, dated the 5th instant, document (D) that M. d'Estournelles, the French Chargé d'Affaires, contends that the claim of the Company does not come within the operation of the agreement for the settlement of British claims by arbitration, because it is specially provided by Article 7 of the Concession to M. du Plessis that all differences which may arise between the Tunisian Government and the grantees or assignees of the Concession shall be decided by the French Tribunal at Tunis.

Article 7 of the Concession will be found at p. 4 of the printed paper, marked (A). It may be contended, however, that the provision in question was intended only to specify the Tribunal before which legal proceedings, if found necessary, should be instituted, whereas the object of the agreement for the settlement of British claims by arbitration was to obviate the necessity of any recourse to Courts of Law.

I am to request that you will take the papers transmitted herewith into your consideration, and that you will favour Lord Granville with your opinion as to the validity of the objection put forward by the French Chargé d'Affaires to the settlement of the claim of the Company by arbitration.

I am, &c.
(Signed) JULIAN PAUNCEFOTE.

No. 117.

Sir J. Pauncefote to Mr. Surtees.

Sir,

Foreign Office, March 10, 1884.

I AM directed by Earl Granville to acknowledge the receipt of your letters of the 1st and 3rd instant upon the subject of the claim of the Esparto Fibre Supply Company against the French authorities in Tunis, and, in reply, I am to inform you that M. d'Estournelles, the French Chargé d'Affaires, contends that, as, by Article 7 of the Concession, all differences are to be decided by the French Tribunal, the claim of the Company does not come within the arrangement entered into between the English and French Governments for the settlement of outstanding British claims by arbitration.

I am to add that this contention is now under consideration.

I am, &c.
(Signed) JULIAN PAUNCEFOTE.

[1416]

* Not given.

T

- * (A.) Esparto Fibre Company, December 18, 1883.
- (B.) Ditto, January 7, 1884.
- (C.) "Tunis No. 1," Parliamentary Paper (1884).
- (D.) Mr. Reade (Telegraphic), No. 6, March 5, 1884.
- (E.) Esparto Fibre Company, March 3, 1884.

Also to M. Waddington, January 24, 1884.
Mr. Reade, December 29, 1883.
Esparto Fibre Company, January 31, 1884.
To Mr. Reade, No. 7, February 25, 1884.
To Esparto Fibre Company, February 25, 1884.
Esparto Fibre Company, March 1, 1884.
Ditto, March 3, 1884.

Mr. Surtees to Earl Granville.—(Received March 11.)

*The Franco-English Tunisian Esparto Fibre Supply Company (Limited),
72, Bishopsgate Within, E.C., March 11, 1884.*

My Lord,

I HAVE the honour to acknowledge receipt of your Lordship's communication of the 10th instant, intimating that M. d'Estournelles, the French Chargé d'Affaires, contends that as by Article 7 of the Concession all differences are to be decided by the French Tribunal, the claim of the Company does not come within the arrangement entered into between the English and French Governments for the settlement of outstanding British claims by arbitration, and that the contention is now under consideration.

On behalf of this Company I beg to request that your Lordship will defer arriving at a decision on the point raised by M. d'Estournelles until I have an opportunity of placing before you evidence which will, I believe, effectually set aside the view held by the Chargé d'Affaires.

Meanwhile, I take this opportunity of handing your Lordship copy of a letter I addressed to, and which appeared in, some of the leading newspapers this morning.

I have, &c.

(Signed) R. W. SURTEES, Secretary.

Inclosure 1 in No. 118.

Extract from the "Daily Chronicle" of March 11, 1884.

CONSULAR JURISDICTION IN TUNIS.

To the Editor of the "Daily Chronicle."

Sir,

IN the House of Lords on Friday night, in answer to Lord Lamington's question on this subject, Earl Granville gave as an important reason for the abolition of Consular jurisdiction in Tunis the "high character of French justice," and appealed for confirmation to Earl de la Warr in the following words:—

"The noble Earl, I believe, is interested in a Company having a Concession of a particular kind from the Government of Tunis. That Company, before the change was made, insisted upon a clause which would secure to them that if any differences arose they should be referred to the French and not the native Tribunals."

This remark, which shows very clearly that Lord Granville has been misinformed as to the facts, is calculated to convey an altogether wrong impression, which may seriously prejudice outstanding claims in Tunis. The clause referred to by Earl Granville, so far from having been inserted at the instance of this Company, was introduced not only before the Company became interested in the Concession, but at a time when it belonged to a French subject. When this gentleman obtained the Concession he had to deal with the fact that the Bey was Judge in his own Court, and that the Capitulations compelled a plaintiff to sue in the national Court of the defendant. It was evident, therefore, that no claim against the Bey or an influential Tunisian would meet with redress, and under these circumstances the concessionaire was glad to obtain an arrangement that disputes should be settled by the French Courts.

The abolition of Consular jurisdiction does not, however, turn on a question of French *versus* native Courts, but on the transference of British subjects (when defendants) from the British Courts to the French. No matter how high the French Courts may stand in the opinion of Englishmen, any one acquainted with Tunis during the last two years would smile at the simplicity of a person seeking justice at a French Court in the Regency on any of the questions that have arisen through the action of the French officials; and in proof of the general feeling on this point we have the fact that the French in Tunis are the only persons who are anxious that outstanding claims should be tried before their Courts, and thus evade, where possible, the conditions of the agreement between the two Governments, "that all financial cases should be settled by arbitration;" while, on the other hand, the claimants are unanimous in their desire to avoid French jurisdiction.

The French in Tunis have for more than twelve months directed their power against all British interests in the Regency, with the avowed object of putting pressure on the

British Government to abolish Consular jurisdiction, and are now in the same spirit trying to avoid the consequences of their acts by evading the arrangement with our Government wherever possible. Under ordinary circumstances the claimants, who now anxiously await arbitration, would not expect that purely financial matters should be taken up by Government, but as our private interests have been used by the French as a political football, we naturally seek redress through the Foreign Office.

It is with considerable hesitation that I venture comment on Earl Granville's statement, and nothing but the fear of prejudice to the Company he referred to induces me to do so.

(Signed)

R. W. SURTEES, Secretary of the Franco-English
Tunisian Esparto Fibre Supply Company (Limited).

72, Bishopsgate Street Within, E.C., March 10, 1884.

Inclosure 2 in No. 118.

Extract from the "Daily News" of March 11, 1884.

CONSULAR JURISDICTION IN TUNIS.—We have received a letter from Mr. R. W. Surtees, Secretary of the Franco-English Tunisian Esparto Fibre Supply Company (Limited), in which he says that in "the House of Lords, on Friday night, in answer to Lord Lamington's question on this subject, Earl Granville gave as an important reason for the abolition of Consular jurisdiction in Tunis the 'high character of French justice,' and appealed for confirmation to Earl de la Warr, in the following words: 'The noble Earl, I believe, is interested in a Company having a Concession of a particular kind from the Government of Tunis. That Company, before this change was made, insisted upon a clause which would secure to them that, if any differences arose, they should be referred to the French and not the native Tribunals.'" Mr. Surtees says that "the clause referred to by Earl Granville, so far from having been inserted at the instance of this Company, was introduced, not only before the Company became interested in the Concession, but at a time when it belonged to a French subject."

No. 119.

Mr. Reade to Earl Granville.—(Received March 11.)

(No. 7.)

(Telegraphic.)

REGARDING arrangements which, as stated in my despatch No. 7 of the 27th ultimo, I have come to respecting the claim of Mr. Levy, of London, to be indemnified for property of which he has been deprived by the French military authorities at Gabes, that gentleman asks permission to name as his Arbitrator the Arbitrator who may have been selected by your Lordship to adjudicate in the Benayad case.

No. 120.

Mr. Reade to Earl Granville.—(Received March 12.)

(No. 8.)

My Lord,

WITH reference to my despatch No. 7 of the 27th ultimo, reporting the understanding I had come to with the Baron d'Estournelles respecting the mode in which a considerable portion of the outstanding claims of British subjects should be dealt with, I regret to have to inform your Lordship that, as regards the most important of those claims, the arrangement to which we arrived has, since then, fallen through, owing to circumstances which, although they have been reported to your Lordship's office by telegraph, I beg in the present despatch to confirm.

In my former Report I alluded to the arrangement as having been come to for a meeting to be held between General Benayad and an officer representing the Tunisian Government, for the purpose of discussing the former's claims against that Government, and coming, if possible, to a friendly solution of the same. Two days later, that is to say, on the eve of the day on which the said meeting was to be held, and at a late hour of the evening, I received a visit from Baron d'Estournelles, who proposed that, with a view to avoid misunderstandings and place on official record the object of the meeting, a

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formal exchange of notes should immediately take place between us. I did not see the necessity of this formality, but, as he insisted upon its necessity, I agreed to reply to a note of which he had already prepared a rough draft, and to which he noted in pencil the reply I intended to give him, which was merely an acknowledgment of his communication, and an intimation that I would cause General Benayad to duly appear at the proposed meeting.

In the course of some further remarks on the subject of arbitration, the Baron said he took it for granted that I had no other case but Benayad's to submit to such a mode of adjudication. To this I immediately answered that I knew of no other, unless it were the claim of the Esparto Company, and, on his endeavouring to show that that claim could not be so dealt with, I persisted in my opinion to the contrary. He then went away, and notwithstanding the conversation that had passed between us returned two hours afterwards (at 10 P.M.), with a letter which he declared was an exact copy of the rough draft he had before shown me, but which, on perusal, I found contained words I did not remember to have seen in that draft. Prefixed to a statement that Benayad's claim is the only one that can be submitted to arbitration, under the Agreement to which the two Governments had lately come, were the words "Il est bien entendu que." I, of course, declined to accept such a statement, and although he protested against my regarding it as a condition he sought to impose, he told me, in the clearest of terms, that unless some understanding were definitively come to respecting treatment of the Esparto Company's claim, he was not prepared to do anything about the Benayad case.

On the following day I was informed by a third party and mutual friend that, if I would only state my opinion in reply to an official application from Baron d'Estournelles as to how the Esparto Company's claim should be disposed of, our difference would be at an end. I at once consented to reply in the sense indicated, and a correspondence ensued, of which copies are given in Inclosures Nos. 1, 2, 3, and 4.

Nothing further being done about the Benayad affair, I called on the Chargé d'Affaires and asked him whether or not he was prepared to go into the matter. The answer he gave me was almost a repetition of that which had led to the suppression of the intended interview between General Benayad and the Secretary-General of the Tunisian Government. In the present instance he desired to know the opinion of Her Majesty's Government as to whether the claim of the Esparto Company was not debarred from arbitration by Article 7 of the Decree of Concession, and this, notwithstanding I had shown him Sir Julian Pauncefote's despatch No. 7 of the 25th ultimo, which I had just received, and which left no doubt as to the opinion he alleged a desire to obtain.

It now became only too apparent that there was really no intention on the part of the Chargé d'Affaires to hasten or facilitate in any way a solution of the Benayad's claims, and I therefore ventured to express by telegraph a hope, which I now beg respectfully to repeat, that in the matter of the said claims your Lordship will be pleased to press for an immediate recourse to arbitration.

I have only, in conclusion, to annex copies of three further communications between the Baron d'Estournelles and myself respecting our present misunderstanding.

I have, &c.
(Signed) THOS. F. READE.

Inclosure 1 in No. 120.

Baron d'Estournelles to Mr. Reade.

M. l'Agent et Consul-Général,

Tunis, le 1^{er} Mars, 1884.

LE Gouvernement Tunisien est prêt à se mettre en rapport avec le Général Hamida Benayad, afin de régler ses contestations contenues dans le Mémoire du 28 Mai dernier, à l'amiable, s'il est possible, sinon par arbitrage, dans les conditions convenues à Londres.

A mon avis, parmi les affaires comprises dans la liste définitive que vous m'avez communiquée le 26 Février dernier, celle dont il s'agit serait la seule qui rentrerait dans les termes de l'accord intervenu entre nos deux Gouvernements; je vous serai obligé de vouloir bien me faire connaître si vous estimez qu'il s'en trouve quelque autre dans les mêmes conditions.

Agréez, &c.
(Signé) P. D'ESTOURNELLES.

Inclosure 2 in No. 120.

Mr. Reade to the Baron d'Estournelles.

Sir,

Tunis, March 1, 1884.

I HAVE the honour to acknowledge the receipt of your letter of this day, requesting me to state whether there are, in my opinion, any other affairs besides the claim of General Benayad which ought to be submitted to arbitration in case an amicable settlement be not come to.

In reply I beg to state that, so far as I can judge at this moment, the claim of the Esparto Grass Company is entitled to arbitration as well as the Benayad case. I can see no other affair entitling the claimants to the same mode of solution, under the Agreement signed in London between Lord Granville and his Excellency M. Waddington.

I have, &c.
(Signed) THOS. F. READE.

Inclosure 3 in No. 120.

Baron d'Estournelles to Mr. Reade.

M. l'Agent et Consul-Général,

Tunis, le 1^{er} Mars, 1884.

J'AI l'honneur de vous accuser réception de votre lettre de ce jour par laquelle vous me faites connaître que vous ne voyez pas d'autres affaires que les réclamations du Général Benayad et celle de la Compagnie Concessionnaire des Alfas qui, à défaut d'arrangement amiable, doivent être soumises à un arbitrage dans les conditions convenues à Londres.

Je vous serai obligé de vouloir bien me faire connaître si, outre l'affaire Benayad et celle de la Compagnie des Alfas, il ne reste aucune autre affaire sur la liste que vous avez présentée qui soit susceptible d'être jugée par l'arbitrage.

Le Gouvernement Tunisien reconnaît que les réclamations mobilières dont il s'agit du Général Benayad sont de la nature de celles que prévoit la Convention conclue entre nos deux Gouvernements.

Quant à la réclamation de la Compagnie Concessionnaire des Alfas, en vertu de son Contrat du 14 Juin, 1882 (Article 7), cette réclamation doit être jugée par le Tribunal Français de Tunis, je pense que le Gouvernement Anglais n'a pas d'objection à faire à l'acceptation de cette juridiction; en tous cas je serais heureux que vous me le fissiez savoir.

Agréez, &c.
(Signé) P. D'ESTOURNELLES.

Inclosure 4 in No. 120.

Mr. Reade to the Baron d'Estournelles.

Sir,

Tunis, March 2, 1884.

I HAVE the honour to acknowledge the receipt of the second letter you were so good as to favour me with yesterday evening.

Having, in reply to your first communication, stated my opinion as to what cases may eventually be submitted to arbitration under the Agreement that has been come to between our respective Governments, I feel somewhat embarrassed in being called upon for a more positive affirmation of that opinion.

Strictly speaking—and this, I presume, is the declaration you wish me to make—there is, as far as I can judge, no other case I can claim as a matter of right to be dealt with by an arbitral Commission than the two to which you specifically refer. As, however, with regard to the claim of the Esparto Concession Company, there appears to be some doubt whether the opinion I have expressed is correct, I shall submit it to the consideration of Her Majesty's Government, and await the necessary instructions.

I have, &c.
(Signed) THOS. F. READE.

Inclosure 5 in No. 120.

Mr. Reade to the Baron d'Estournelles.

Sir,

Tunis, March 4, 1884.

HAVING been instructed by Her Majesty's Secretary of State for Foreign Affairs to report whether there is any probability of an immediate or early and amicable settlement being arrived at between the Tunisian Government and General Benayad in the matter of the latter's claims against the former, I have the honour to request you will have the goodness to inform me whether any officer representing that Government is furnished with full powers to treat for such a settlement of those claims, and, if so, whether you will also state when and where a meeting between the interested parties may take place, for the purpose of coming, if possible, to the desired solution.

I have, &c.

(Signed) THOS. F. READE.

Inclosure 6 in No. 120.

Baron d'Estournelles to Mr. Reade.

M. l'Agent et Consul-Général,

Tunis, le 4 Mars, 1884.

EN réponse à votre lettre, en date de ce jour, je ne puis que me référer à mes précédentes communications qui, dans ma pensée, ne laissaient pas de doute sur la volonté bien arrêtée du Gouvernement Tunisien de ne rien épargner pour régler le plus tôt possible ses contestations mobilières avec le Général Benayad.

Cependant, pour répondre au désir que vous m'exprimez de nouveau, je vous renouvelle les déclarations que j'ai eu l'honneur de vous faire de vive voix et par écrit :

Le Gouvernement Tunisien, représenté par son Secrétaire-Général, muni de ses pleins pouvoirs, M. Bompard, commencera la discussion amiable des réclamations que vous entendez soumettre à l'arbitrage dans la mesure de l'arrangement intervenu à Londres le lendemain même du jour où il saura quelles sont ces réclamations.

Sur la liste définitive que vous m'avez présentée, nous les avons, vous et moi, d'un commun accord éliminées toutes à l'exception de deux, celle de Benayad et celle de la Société des Alfes.

Nous sommes du même avis pour la première; quant à la seconde, afin de hâter une solution, je vous ai prié et vous demande encore de vouloir bien consulter votre Gouvernement et de me faire savoir si les termes de l'Article 7 du Décret de Concession ne sont pas assez explicites pour trancher la question en faveur de la compétence du Tribunal Français.

Agréez, &c.

(Signé) P. D'ESTOURNELLES.

Inclosure 7 in No. 120.

Mr. Reade to the Baron d'Estournelles.

Sir,

Tunis, March 5, 1884.

I BEG to acknowledge the receipt of your reply to my letter of yesterday, informing me of the terms upon which M. Bompard is prepared to enter upon a friendly discussion of the Benayad claims, and to state that that communication, together with the others which have preceded it on the same subject, will be duly submitted by me to Her Majesty's Government.

I must beg, however, in the meanwhile, and more especially after the explanations which we have exchanged, to dissent entirely from the line of procedure you have thought proper to adopt in the present instance as wholly uncalled for and inconsistent no less with the assurances of a speedy solution which have been given to Her Majesty's Government than it is with the understanding come to between us on the occasion of our first sitting (on the 28th ultimo), and with the circumstance of our having, in point of fact, dealt unrestrictedly with a variety of other cases on the list of claims.

I have, &c.

(Signed) THOS. F. READE.

No. 121.

Mr. Pace to Earl Granville.—(Received March 12.)

My Lord,

Sfax, March 1, 1884.

I HAVE the honour to acknowledge receipt of your despatch, 30th January, contents of which noted.

I feel extremely thankful for the good advice your Lordship has been pleased to give me, but, having applied to the French Judge of Sfax, who, after communicating with the French Consul here, he answered me that he could not interfere in this matter.

As I am in possession of documents proving the identity of my son's murderers, I humbly beg your Lordship will be pleased to order that instructions be given to Mr. Reade at Tunis, in order to obtain for me an Amar Bey, to enable me to prosecute the murderer before the Arab Tribunal, more especially as the amount awarded me was in compensation for the loss sustained of my furniture, wearing apparel, &c., and not for my son's murder.

I have, &c.

(Signed) GIUSEPPE PACE.

No. 122.

Earl Granville to Mr. Reade.

(No. 4.)

(Telegraphic.)

Foreign Office, March 12, 1884, 7 P.M.

YOUR telegram No. 7.

All claims not amicably disposed of must be referred to the Arbitrators named by the two Governments. Her Majesty's Government have named Sir A. Dingli, and have pressed French Government to arrange for Arbitrators to meet on the 1st April.

No. 123.

Earl Granville to Mr. Reade.

(No. 10. Ext. 4.)

Sir,

Foreign Office, March 12, 1884.

IN reply to your telegram No. 7 of the 11th instant, I have to point out to you that all claims which are not amicably settled will have to be dealt with by the arbitrators named by the English and French Governments.

Sir A. Dingli has been selected as the British Arbitrator, and I have urged the French Government to take steps to enable the Arbitrators to meet not later than the 1st April next.

I am, &c.

(Signed) GRANVILLE.

No. 124.

Earl Granville to Count d'Aubigny.

Dear Count d'Aubigny,

Foreign Office, March 12, 1884.

I HAVE communicated to Lord Granville the suggestion of M. Waddington that the nomination of the Arbitrators for the settlement of the British claims at Tunis should be deferred, as his Excellency entertained some hope that General Benayad's claim might still be amicably arranged.

But to-day we have received a despatch from Mr. Reade in which he holds out no prospect of such a solution, and reports that there are three cases besides those of General Benayad which are awaiting arbitration.

Under these circumstances Lord Granville thinks it would be very undesirable to delay any longer the nomination of the Arbitrators, and he hopes M. Waddington will concur in that view, and endeavour to arrange that they should commence their labours in the first days of April. This may expedite an amicable settlement.

Believe, &c.

(Signed) GRANVILLE.

Sir J. Pauncefote to the Law Officers of the Crown and Dr. Deane.

Gentlemen,

Foreign Office, March 12, 1884.

WITH reference to my letter of the 10th instant, I am directed by Earl Granville to transmit to you herewith copy of a letter from the Secretary of the Franco-English Tunisian Esparto Fibre Supply Company (Limited), requesting that a decision upon the point raised by M. d'Estournelles, the French Chargé d'Affaires at Tunis, may be deferred until the Company have had an opportunity of submitting evidence which they believe will rebut the view held by the French Chargé d'Affaires.

I am, &c.

(Signed) JULIAN PAUNCEFOTE.

Sir J. Pauncefote to Mr. Surtees.

SIR J. PAUNCEFOTE presents his compliments to the Secretary of the Company, and, in reply to his letter of the 11th instant, is directed by Earl Granville to request that the evidence to which he refers in his letter under acknowledgment may be furnished with as little delay as possible, as the papers are now under the consideration of the Law Officers of the Crown.

Foreign Office, March 12, 1884.

Sir J. Pauncefote to Messrs. McNaught, Pearse, and Middleton.

Gentlemen,

Foreign Office, March 12, 1884.

I AM directed by Earl Granville to acknowledge the receipt of your letter of the 7th instant, requesting that Her Majesty's Minister in Morocco may be instructed to furnish Mr. Cohen, your agent at Tangier, with a letter of introduction to the Sultan or his Ministers, to enable him to endeavour, by personal negotiation, to obtain a settlement of the claims which the Sûs and North African Trading Company have brought against the Moorish Government.

I am to inform you, in reply, that Lord Granville is awaiting the result of the official inquiry promised by the Moorish Government into the circumstances under which the property of the Company was taken possession of by the Moorish authorities, and in the meanwhile his Lordship must defer the consideration of your request.

I am, &c.

(Signed) JULIAN PAUNCEFOTE.

Memorandum by Sir J. Pauncefote of Conversation with Count d'Aubigny.

(Confidential.)

COUNT D'AUBIGNY called yesterday with reference to our letter urging that the arbitration should commence on the 1st April, and stated that M. Waddington had reason to believe that Benayad's case was the only one in which recourse to arbitration might be necessary, and that there was still hope that it would be settled amicably. Under these circumstances, his Excellency thought that it would be desirable to defer for a while the nomination of the Arbitrators.

We have since received Mr. Reade's despatch No. 8, in which he declares that there is no hope of avoiding arbitration in Benayad's case, and that there are three other cases awaiting arbitration.

I think we had better press for the appointment of the Arbitrators, and for their

entering on their duties on the 1st proximo. This will expedite an amicable arrangement, if such a solution be possible.

Foreign Office, March 12, 1884.

J. P.

Mr. Wingfield to Sir J. Pauncefote.—(Received March 13.)

Sir,

Downing Street, March 12, 1884.

I AM directed by the Earl of Derby to acknowledge the receipt of your letter of the 8th instant relative to the proposed employment of Sir A. Dingli as English Arbitrator in the matter of the British claims against the Regency of Tunis, and to transmit to you, for the information of Earl Granville, a copy of a despatch from the Governor of Malta, inclosing a correspondence with Sir A. Dingli on this subject.

A copy of your letter has been sent to Sir A. Borton.

I am, &c.

(Signed) EDWARD WINGFIELD.

Inclosure 1 in No. 129.

Governor Sir A. Borton to the Earl of Derby.

(Confidential.)

My Lord,

Palace, Valetta, March 3, 1884.

WITH reference to your Lordship's Confidential despatch of the 14th ultimo respecting the appointment of Sir Adrian Dingli to act as Arbitrator in behalf of certain British subjects in Tunis, I have the honour to transmit, for your Lordship's information, copy of the correspondence with Sir Adrian Dingli on the subject.

I have, &c.

(Signed) A. BORTON.

Inclosure 2 in No. 129.

Mr. Hutchinson to Sir A. Dingli.

Sir,

Chief Secretary's Office, February 20, 1884.

I HAVE the honour to forward to your Honour copy of a despatch from the Secretary of State for the Colonies, asking whether you are willing to place your services at the disposal of Her Majesty's Government for the purpose of arbitrating in the settlement of certain claims of British subjects in Tunis in connection with the cessation of foreign Consular jurisdiction in that country.

The Governor would be obliged if you would be so good as to inform me whether you are willing to accept this mission.

I need hardly say that if you accept the mission the fact of your going to Tunis will not interfere in any way with any leave you may wish to take later on in the present year.

I have, &c.

(Signed) WALTER HELY HUTCHINSON,
Chief Secretary to Government.

Inclosure 3 in No. 129.

Sir A. Dingli to Mr. Hutchinson.

February 20, 1884.

I HAVE the honour to acknowledge the receipt of your letter of the 20th instant, conveying to me his Excellency the Governor's desire to be informed whether I am willing to accept the appointment, by Her Majesty's Government, to act as Arbitrator in behalf of British or British-protected subjects in Tunis, in conjunction with another

Arbitrator to be appointed by the French Government for the settlement of some claims against the Regency, referred to in a despatch from the Earl of Derby dated the 14th instant, and in a correspondence between the Foreign and Colonial Offices, and I beg to state that I am always happy to place my humble services at the disposal of the Government.

It is, however, my duty to submit that a suspension of my services in this island before the 12th proximo would be attended with serious inconvenience to several persons whose cases in Her Majesty's Court of Appeal or in the Vice-Admiralty Court have partly been heard or await the judgment of the Court; and that, for public convenience, it is desirable that I should not absent myself from those Courts until the 28th March, *i.e.*, about a week before the Easter vacation, and that I should resume my duties here about the 18th April, *i.e.*, not later than a week after that vacation.

I have, &c.
(Signed) A. DINGLI, Chief Justice.

No. 130.

Earl Granville to Sir J. Drummond Hay.

(No. 8.)

Sir,

Foreign Office, March 13, 1884.

I TRANSMIT to you herewith, for your information, copies of further correspondence, as marked in the margin, with the Agents of the Sûs and North African Trading Company (Limited).*

I am, &c.
(Signed) GRANVILLE.

No. 131.

Sir R. Morier to Earl Granville.—(Received March 15.)

(No. 32. Most Confidential.)

My Lord,

Madrid, March 6, 1884.

IN a conversation with the Minister of State on the 1st instant, his Excellency said he could not hide from me that the Spanish Government were preoccupied with the state of affairs in Morocco, and with the events which might arise in that country if matters continued to follow a course so little favourable to the maintenance of the *status quo* as they had of late years done.

I asked his Excellency in what consisted the dangers which preoccupied the Government.

He replied, first, that the evils for which a remedy had been sought in the Madrid Conference, namely, the encroachments on the rights of the Sultan by the abuse of the privileges which the Europeans settled in that country had arrogated to themselves, had increased rather than diminished, owing to the absence of all collective co-operation in Morocco on the part of the Powers represented in Madrid for the purpose of carrying into effect the decisions of the Conference. Indeed, amongst those Powers there were some which had opposed themselves openly both to the spirit and to the letter of those decisions.

Secondly, it was impossible to conceal from oneself that the spirit of Mussulman fanaticism, which was daily asserting itself more and more over the whole of Mediterranean Africa, represented a danger of the most real kind for Morocco, so long as matters remained in their present state there. A movement of this description, breaking out in the dominions of the Sultan, might in forty-eight hours overthrow his throne, and carry fire and flame throughout the countries on the other side of the Straits.

Thirdly, the attitude of France was becoming, if not more menacing, at least more openly divergent from the policy consecrated by the Madrid Conference, whose object had been to repudiate all exclusive projects in regard to Morocco, and to insure the maintenance of an attitude of collective benevolence towards that Empire.

It was with the greatest *ménagements* for France that the Minister of State approached this portion of his subject. The King's Government had nothing more at heart than the maintenance of friendly relations with the neighbouring Republic, and

* Nos. 111 and 127.

would use all their efforts to remove any cause of disagreement which might arise between the two countries. But in matters of such grave importance as that under discussion, it was necessary, before all things, to guard against illusions, and not to turn away one's eyes from the future towards which one was inevitably moving. To speak frankly, Spain could not but view with disquiet the possibility of France becoming her neighbour to the south as well as on the north, having her in front of her on the other side of the Straits whilst buttressed against her in the Pyrenees, nor did he think that such a state of things would be to the advantage of Europe.

His Excellency then went on to recapitulate the successive steps by which France had more and more accentuated her position as a Power specially interested in Moorish affairs, and referred to the adventures of Count de Chavagnac amongst the Arabs of the Riff, the naturalization as a Frenchman of, and the grant of French protection to, the Shereef of Wazan, and the refusal of France to associate herself with the other Powers, whose Representatives at Tangier had provisionally given a favourable reply to the proposal of the Shereefian Government that, seeing the impossibility there was for them to give effective protection to strangers in certain provinces of the Empire, the European Powers would abstain from carrying on commercial operations in those provinces, and making the Sultan responsible for the conflicts which might arise in connection with such operations.

Having no knowledge of recent events in Morocco, I was unable to follow Señor Elduayen in the details of these several episodes, or to judge of his mode of appreciating them. But the general result towards which his Excellency tended appeared to me sufficiently clear. It was that the only way to prevent Moorish complications from taking proportions embarrassing for every one was to insist on the collective treatment of the question, and on the disinterested accord of the European Powers in regard to it. The moment for such an accord, his Excellency observed, was far more propitious to-day than it had ever been before, and especially during the time of the Conference at Madrid. Then Germany was more bent on giving proofs of generosity towards France than on occupying herself seriously with the question of Morocco. Russia held entirely aloof, whilst Italy opposed herself openly to the objects of the Conference, where, represented by the very active and demonstrative Minister who had for years worked Morocco in an exclusively Italian sense, she left little doubt that she did not share the idea of collective benevolence which had given rise to its meeting.

All this had changed. Germany, seeing the danger which might accrue to the peace of Europe if the *status quo* were disturbed, now took a lively interest in seeing to its maintenance. Even Russia had shaken off her apathy, and Italy, M. Scovasso having been recalled from Tangier, was ready frankly to rally herself to a policy of disinterestedness.

The Minister of State said nothing which could lead me to believe that the Spanish Cabinet contemplated taking the initiative in once more uniting the Powers in Conference at Madrid; an idea which seemed to me to have at one time occupied the attention of the Marquis de la Vega de Armijo. His object, on the contrary, appeared to be simply to bring out, in a clear and logical manner, that if matters went on from worse to worse, there was no solution possible in *abstracto* other than the European treatment of the question. The freedom of the Straits and of the entrance into the Mediterranean was, in the first instance, a matter of European interest. Spain could not be asked to make herself the sole and only champion of this liberty. She was ready to do all she could within the measure of her strength, but she had a right to ask that those who were equally interested with herself should stand by her, and this she had the hope would, as regards the majority of the great Continental Powers, now be the case.

Apart from this collective European action, however, there was an action of a more restricted nature, but which might yet suffice of itself to stop for a long while the process of disorganization and decomposition in Morocco. The frank and loyal co-operation of Great Britain and Spain for the maintenance of the *status quo*, the certainty felt by Europe that the two Powers conjointly would never tolerate the dismemberment of the Sultan's dominions for the profit of any European Power whatsoever, would be the surest means of safeguarding the future and of bringing about the collective action of Europe in a true and efficacious manner.

When, at the time of the Conference, the Conservative party were in power in Spain, the agreement between the two Governments was assured, and they stood side by side, on the same line, and contending for the same principles in the meetings of the Plenipotentiaries. Had the attitude of Her Britannic Majesty's Government changed? This it was that the Spanish Government especially desired to know; for his Excellency

could not conceal his fears that a certain coolness ("un refroidissement") had arisen in the interest formerly taken by Great Britain in the fate and future of Morocco; and he added that he would regard such an eventuality as a very great misfortune. The King's Government desired nothing more than to adapt their line of conduct to ours ("de régler sa marche d'après la nôtre") if ours continued to have for its object the resolute and energetic maintenance of the *status quo*.

I answered that nothing led me to believe that Her Majesty's Government had changed their way of looking at Moorish affairs, and that my instructions on the subject were identical with those which had been received by my predecessor. I promised, however, that I would not fail to lay before your Lordship the important appreciations to which his Excellency had given expression, and the earnest desire of His Catholic Majesty's Government to come to an understanding with us in regard to the conduct to be followed in the questions actually pending at Tangier.

A few days after this conversation I received a visit from the President of the Council, and the question of Morocco again formed the subject of discussion.

Señor Cánovas del Castillo gave me an eloquent account of his Moorish policy, as an integral part of the general foreign policy which he had persistently followed, from the day the affairs of Spain had been first confided to him as the responsible adviser of his Sovereign. Spain, before all things, required peace and rest for the purposes of her internal consolidation. Consequently, the very first duty of her statesmen was energetically to oppose themselves to those adventurous dreams with which journalists amused themselves and their readers. First in the list of these adventures he placed, and had always placed, the acquisition of Portugal and Morocco. On entering office for the first time he had found public opinion still excited by the recollection of the expedition to Morocco, and of the victories obtained by the Spanish arms over the Moors. The result of this was that the two Powers, England and Spain, whose interests alike bound them to have at heart the maintenance of the *status quo*, found themselves, owing to mutual jealousies, incapable of assisting each other in the attainment of this common end. He had changed all this with one stroke of the pen, by sending categorical instructions to the Spanish Agent at Tangier always to come to a joint understanding with the British Agent in regard to everything having reference to the maintenance of the Sultan's authority and to the welfare of Morocco. He was inspired by the same idea at the Conference, where, in accord with Her Majesty's Minister, he maintained the interests of the Sultan to the limit of the possible ("où d'accord avec le Représentant de Sa Majesté Britannique je soutins les intérêts du Sultan jusqu'à la limite du possible"). His object was to preserve the *status quo* on the southern littoral of the Mediterranean, or at any rate to secure the adjournment of the grave difficulties which might arise in those countries from the clash of European interests. His sincere conviction was that British and Spanish interests were those easiest to reconcile in Africa.

His Excellency then referred to a British despatch which he had once read, and which he believed bore Lord Derby's signature. It contained a statement to the effect that Great Britain would never consent to one of the Great Powers establishing itself in Morocco. This despatch had produced a strong impression upon him, for, knowing the tenacity with which the British Government pursued its political aims, this declaration appeared to him to assure to Morocco the efficient support of Great Britain, should its independence at any time be seriously threatened. Accordingly, as Spain could have no other object in view than the maintenance of that selfsame independence, his policy was marked out for him, namely, to make common cause with England.

His Excellency spoke to me at great length upon this question, always in the same current of ideas. There is no need for me, however, to dwell further on what he said, because, desiring after his Excellency left to refresh my memory as to the events connected with the Conference, I read over Mr. West's despatches in 1879 and 1880, and was much struck by finding in the reports of his conversations with Señor Cánovas, not only the selfsame arguments, but in many instances the very words and phrases his Excellency had just used. This remarkable identity of view and exposition of policy, after an interval of four years, appears to me a conclusive proof that the policy of Señor Cánovas on this question is not one from hand to mouth, but based on a plan carefully thought out, and from which he is not likely to depart, so long as circumstances allow him to follow it. I should, add, moreover, that it is not merely as Minister, and in these conversations with Her Majesty's Representatives, that his Excellency has thus expressed himself, but that he has constantly, as leader of the Opposition in Parliament, as well as in extra-Parliamentary utterances, used the same language, and not ceased to launch his powerful anathemas against the policy of foreign adventure. I also wish to place on record that when, on the occasion of our Egyptian expedition in 1882, the

entire Spanish press, and none more so than the Ministerial organs (a few free trade journals were the only exceptions), did not cease to heap insults on Her Majesty's Government, and calumnies on the naval and military forces of Her Majesty, and arrayed itself on the side of Arabi Bey, and whilst reasonable persons held their tongues, the only statesman who had the courage to range himself with us on the side of Europe, and to admit that Great Britain represented the cause of civilization *versus* African barbarism, was Señor Cánovas.

I have in the preceding pages faithfully recorded the sense and purport of the two important conversations I have held on the subject of Morocco with their Excellencies Señores Elduayen and Cánovas; before concluding, I wish to make the following observations.

Without in any way desiring to criticize the policy of the Cabinet which succeeded that of Señor Cánovas in 1880, there cannot, I think, be a doubt that the foreign policy of the Conservative Government is more logical and stable than was that of the Fusionist Ministry, and that there need be no fear of encountering at their hands such fantastic projects as that of preventing others from laying hands on Morocco, by a joint occupation of the country by England and Spain. But there is a special consideration which seems to be of importance. From personal rather than political causes, the relations between the French and Spanish Governments were none of the best when the Marquis de la Vega de Armijo was Foreign Minister. There was always the greatest mutual jealousy, and there was a risk of the least provocation bringing about a serious misunderstanding. This state of nervous irritation has passed away, on this side at least, and there can be no doubt that the present Ministry are doing all they can to *ménager* French susceptibilities, and to avoid anything and everything that could cause unpleasantness between the two countries. I have no hesitation, therefore, in expressing my conviction that in attempting to stir up afresh the spirit of collective action at Tangier there lurks no wish to get up an European coalition against so-called French interests in Morocco. Indeed, Señor Cánovas energetically rejected the idea that Spain in any way desired to move actively in the matter, or to take the initiative in bringing about the collective action he regarded as so desirable. All the Ministry wished was to make other Governments realize, as clearly as they did themselves, that, seeing the possibility of dangerous friction in those parts, the best chance of avoiding it was by the previous settlement of a *modus vivendi* amongst the parties interested. I have accordingly good grounds for believing that their keen desire to come to an understanding with us on this subject is in great part dictated by the hope that our good relations with France might tend to facilitate an agreement between themselves and the latter Power on a question the importance of which to Spain can scarcely be overrated.

I have, &c.

(Signed) R. B. D. MORIER.

No. 132.

[Sir R. Morier to Earl Granville.—(Received March 15.)]

(No. 33. Most Confidential.)

My Lord,

Madrid, March 11, 1884.

AS I was aware that both Señor Elduayen and Señor Cánovas attached great importance to the conversations they held with me in reference to Morocco, as reported in my despatch No. 32 of the 6th instant, I thought it prudent to let their Excellencies have an opportunity of seeing, and, if necessary, correcting, the report I had addressed to your Lordship on their communications. I accordingly placed before them the exact equivalent in French of such portions of my despatch No. 32 above referred to as contained an account of their spoken words. Both Ministers admitted the perfect accuracy of my report, and thanked me for having so clearly set forth that which they desired to say.

In returning to me this afternoon the Memorandum I had left with him, Señor Elduayen said that, in the opinion of Señor Cánovas and himself, this survey of the situation from the Spanish point of view would not be complete, unless the Spanish Government at the same time stated frankly what, as far as they were concerned, would be the alternative, in the event of a forcible disturbance of the *status quo*, without any preliminary understanding having been come to between the European Powers as to the course to be followed in such event. That alternative could be no other than for Spain to defend her position and interests on the other side of the Straits to the best of her

ability. His Excellency had accordingly drawn up, as a sequel, and as it were a final piece, to my report of the conversations, the short Memorandum of which I have the honour to transmit the inclosed copy herewith.

This Memorandum contains the pith of the whole question, and states in a few words the prospective danger which Spain so earnestly desires to guard against.

A revolution occurs in Morocco. The Sultan is deposed, and the country is thrown into a state of hopeless anarchy. The French march in from Algeria to restore order. (In a letter I received from Sir John Drummond Hay in the autumn of 1882 he declared that but for the battle of Tel-el-Kebir this is what would certainly have happened in the months of August or September.) What alternative is there for Spain but on her side to march in, and at whatever risk, to take up a position in defence of the outposts she has already there secured?

I have, &c.
(Signed) R. B. D. MORIER.

Inclosure in No. 132.

Memorandum.

LE Gouvernement du Roi qui désire prolonger et maintenir l'état actuel des choses au Maroc autant qu'il lui sera possible, craint d'une part voir survenir une époque de dissolution, a cause, non seulement du fanatisme Musulman, mais aussi de la propre faiblesse et désorganisation intérieure du pays, et de l'autre, que le *statu quo* ne soit pas maintenu par un accord Européen, ou que les solutions futures ne soient pas cherchées et trouvées par ce même procédé. L'Espagne alors, quoique regrettant sincèrement de tels événements, ferait naturellement usage de la liberté qu'ils lui accorderaient pour affermir sa propre position au delà du Détroit par tous les moyens dont elle pourrait disposer, car elle ne saurait pas voir tranquillement que d'autres pussent prendre à l'avance des positions qui menaceraient ses intérêts.

No. 133.

Sir R. Morier to Earl Granville.—(Received March 15.)

(No. 34. Most Confidential.)

My Lord,

Madrid, March 12, 1884.

I HAVE had conversations both with my Austrian and German colleagues on the subject of Morocco. The former broached the subject to me, and was anxious to learn whether either Señor Elduayen or Señor Cánovas had spoken to me respecting it, as he knew the matter was, with that of Andorra, much preoccupying the attention of the Spanish Government. He especially wished to learn whether I had been able to ascertain exactly what it was that the Spanish Government were driving at, and what practical object they had in view, for, though Señor Elduayen had spoken to him at length, he had not quite understood the drift of what he said. I told Count Dubsky that, from the positive statements made to me, I was in a position to say that nothing was further from the thoughts of the Spanish Government than the taking any initiative in bringing about the reassembling of the Conference, and that all they wished, or said they wished, was to impress on others the strong conviction they felt themselves that the question was one that required collective amicable treatment.

Having heard from other sources than the Spanish Foreign Office that there had been a lively exchange of telegrams on the subject between Madrid and Berlin, I asked my German colleague what were his views on the matter, and what had passed between him and the Minister of Estado, telling him what his Excellency had stated to me respecting the altered attitude of Germany. Count Solms did not reply freely to my interrogatory, and rather seemed as if he wished to shirk the question, confining himself to generalities, but saying that it was certain that Morocco might lead to grave complications, and that the German Government were occupying themselves with the question. He then turned the conversation into one of personal reminiscences, and said he had himself seen with his own eyes the proofs of the protection and "petits soins" which Her Majesty's Government lavished on Morocco, as he had himself witnessed the setting up of Armstrong guns at Tangier by British officers. I asked

him whether he, as a countryman of Krupp, could seriously believe that the presence of Armstrong guns in a foreign country meant that they had been supplied to the Government of that country by that of Her Majesty, and were paid for by the British taxpayer. This would at once lead, by a parity of reasoning, to the inference that the Krupp batteries at Bakningh, and other interesting points of the planet, were furnished by Prince Bismarck! As Mr. and Mrs. Krupp, junior, spent last winter here selling guns to the Spanish Government, and had been energetically assisted by my colleague, he had nothing to say in reply.

All things considered, I should not be altogether astonished to learn that Count Benovar had, at Berlin, been sounding the German Government with a view to see whether they might not be inclined to take up the Moorish question.

I have, &c.
(Signed) R. B. D. MORIER.

No. 134.

Mr. Surtees to Earl Granville.—(Received March 15.)

*The Franco-English-Tunisian Esparto Fibre Supply Company (Limited),
72, Bishopsgate Street Within, March 14, 1884.*

My Lord,

REFERRING to a communication I had the honour to address to your Lordship on the 11th instant, I now beg to submit the following objections to Baron d'Estournelles' demand that this Company's claim should be submitted to the French Tribunal at Tunis, under clause 7 of the Ratification.

1. Clause 7 was inserted in the Ratification, which was a contract between the Bey's Government and a French subject, M. Duplessis, dated the 12th June, 1882, that is, several months before the existence of this Company, which was not registered until the 22nd September, 1882; owing, however, to delay at the French Residency in delivering the deed of ratification, it was not received until after the formation of the Company, which took it over direct instead of M. Duplessis. If M. Duplessis had kept the Concession, or had transferred it to another French subject, clause 7 might have been applicable, and M. Duplessis or his French transferee might have been subject to the French Tribunal. But the Concession having been subsequently acquired by an English Company, that Company being British could not, in Tunis, have been made subject to a French Tribunal, but was only subject to the British Consular Court established by Her Majesty's Order in Council, and therefore clause 7 ceased to have any application after the transfer made to British subjects. The Company also contends that the agreement to refer to a Court that had no natural jurisdiction, and could not enforce its decisions, was essentially the same as referring to arbitration which a British subject could revoke, *vide Fraser v. Ehrensperger*, Court of Appeal, 18th December, 1883.

2. The French Tribunal which existed at the time of the ratification, and which was contemplated by the contracting parties, was the French Consular Court, and not the French Courts now existing, which were installed on the 24th April, 1883, being ten months after the signing of the ratification by M. Duplessis. There are many differences between the late Consular Courts and the present French Courts, amongst others, in appeals, and therefore it would not be equitable to force upon the contracting parties a jurisdiction to which they did not submit. The Consular Courts to which the contracting parties submitted have been suppressed, and the contracting parties have in no way by their act substituted the present Courts for the Consular Court to which clause 7 referred. At the time this clause was inserted the French Consular Judge was of opinion that the clause was invalid.

The Tunisian Tribunals could not have been divested of their jurisdiction, and, in fact, to produce this effect a special Law had to be passed to give jurisdiction to the present French Courts, and these acts have all been done many months subsequent to the signing of the ratification, and none of which appear to be retrospective. Clause 7, therefore, cannot vest any jurisdiction in the present French Courts.

3. Assuming that under clause 7 French claims arising out of this Concession against the Tunisian Government were to be settled by the French Courts, and that this provision applied to subjects of another nationality, it remains equally true that those claims, being British, form the subject-matter of a subsequent agreement between the English and French Governments, as explained in the French Ambassador's letter to Lord Granville, dated, London, the 29th December, 1883, and which are to be referred

to arbitration irrespectively of the manner in which they would otherwise have to be dealt with, whether by the Tunisian Native Tribunals, or the French Courts, or the British Consular Court, and there seems to be no reason, I beg to submit, why this British Company, which would, for the sake of argument, have otherwise been disposed of by any of those three Tribunals, whichever was competent, should not have the advantage of the arbitration already agreed upon.

4. The opposition of the Tunisian-French officials commenced at a much later epoch than the date of the ratification, and was in no way connected with the Concession, in the sense of originating from it. It was part of the well-known policy of the French to obstruct all British interests in Tunis. Baron d'Estournelles, in an interview with two of the Company's representatives, in most unmistakable language, said that although M. Grand, the Director of Public Works, did at first wish the line to be more substantial than the Company had intended, yet he had long since ceased to take an interest in the matter, and that the Company's present position was due to the non-abolition of the Consular jurisdiction. Further proof of this is that on the 24th January, 1884, after the abolition of the Capitulations, M. Cambon offered to allow the construction of the railway, as originally proposed by the Company, provided the Company's claim was withdrawn.

These facts will show that the difficulty has not arisen out of the Concession, but that the Company's interests have been made to suffer for purely political purposes, not contemplated in clause 7.

In conclusion, I beg most respectfully to submit to your Lordship that, without reflecting upon the future of French-Tunisian Courts, it would be very difficult to obtain justice from a Tunisian-French Court on an outstanding claim in Tunis, on account of the inflamed political feeling which exists. It is certain that no Court would give a Judgment reflecting on the action of the Minister Resident and condemning the Government to heavy damages. I therefore appeal to your Lordship that this Company be not excluded from the advantage of the arbitration, in order that it may be saved from what must otherwise be its ruin, especially as its prospects, at first so encouraging and good, and justified by the support of the French military and civil authorities, were subsequently prejudiced from political motives in connection with the abolition of the Capitulations. Baron d'Estournelles' opposition to the claim of this Company being referred to impartial arbitrators is a source of considerable anxiety to all those interested in this Company.

Recapitulation.

The Company's contentions are briefly:—

1. That clause 7 not being applicable to British subjects could never have formed part of a contract between the Bey and the Company.
2. That the Court referred to was not the French Court now existing.
3. That the present difficulty does not, *bonâ fide*, arise out of the Concession to which clause 7 alone referred, but absolutely to political considerations.
4. That clause 7 of the ratification, even if in force prior to the 31st December, 1883, could not remove the claim from the category of "outstanding claims" in clause 4 of the reservations in Earl Granville's despatch of the 16th November, 1883, and in paragraph 3 of M. Waddington's reply of the 29th December, 1883.

Allow me to inclose to your Lordship printed copy of my letters addressed to you of the 18th December, 1883, and 7th January, 1884.

I have, &c.

(Signed) R. W. SURTEES, *Secretary*.

Inclosure 1 in No. 134.

Mr. Surtees to Earl Granville.

My Lord,

72, Bishopsgate Street Within, London, December 18, 1883.

IN pursuance of a Resolution passed by the Directors of the Franco-English-Tunisian Esparto Fibre Supply Company (Limited), at their meeting of the 17th December, I have the honour to respectfully submit the following facts for your Lordship's consideration:—

On the 12th June, 1881, a Concession was granted by His Highness the Bey of Tunis to a French subject, the late M. René Duplessis, according to him the exclusive

right of gathering esparto grass in five important districts in the south of the Regency of Tunis, and of constructing a railway or tramway for the more economical transport of the produce in question to a point on the sea-coast called Skhira, over which port special privileges were granted to the concessionnaire.

M. Duplessis subsequently sold his Concession to Mr. E. J. Hough, of London, from whom the above Company afterwards acquired it by purchase.

A copy of the original Concession, marked A, is herewith inclosed.

In April 1882 M. Duplessis was informed by Baron d'Estournelles, then Acting French Minister Resident and Tunisian Minister for Foreign Affairs, that the International Financial Commission in Tunis claimed the right of imposing certain conditions to the concessionnaire.

M. Duplessis at first objected to this interference, but finally submitted to the conditions imposed by the Financial Commission, as contained in document marked B, but always without prejudice to his rights under the original Concession.

Your Lordship will perceive that one of the most important features of this Concession was the right to construct the railway or tramway, which could alone enable the concessionnaire to realize the objects of the original grant.

In document A it was provided as follows:—

"Article 1. The said M. Duplessis will work the halfa growing on the mountains called Ourghemmas, Aicha, Hadaje, Bouhedma, and Majoura, and shall be allowed to lay a road along these mountains, terminating at Marsa Skhira Port, under the conditions that such road shall serve solely for the transport of the halfa, either by means of a railway or tramway, intended for the working in question."

It is beyond dispute that by the original Concession the concessionnaire is empowered to lay either a tramway or railway, at his option, suitable for his own requirements. If he chooses the latter, the ratification and "cahier de charges" impose certain conditions on him, but in any case he can only be compelled to construct the railway in accordance with the requirements of the objects of the Concession, namely, the transport of esparto.

The Directors instituted searching inquiries as to the form of railway most adapted to the purposes of the transport of their merchandize from the mountains to the coast. In the result it was ascertained that, for all the purposes of the Concession, a light narrow-gauge surface railway, or tramway worked by small locomotives or mules, was amply sufficient, and a contract was accordingly entered into by the Company for its construction.

Relying on the clear provisions of the original Concession, and the equally unmistakable language of the ratification, one of the Directors proceeded to Tunis, and on the 2nd February, 1883, he submitted plans of the proposed railway, and addressed a formal request to the French Minister Resident for the authorization as per Concession.

The Company's representative was informed that the construction of the railway as proposed could not be allowed unless the Company was prepared to adopt a wider gauge, and road of such substantiability as would far exceed the requirements of the Company's transport, and would involve them in a ruinous and wholly unremunerative expenditure.

The Company continued its negotiations, in the course of which the Minister Resident proposed the following arrangements as a solution of the difficulty:—

1. That the Company should wait to learn the views of the Minister of Public Works in Paris as to whether he desired the Skhira Bouhedma line of this Company to form part of the State line from Gafsa to Bona, or not. In the former case, the gauge would have to be 1 metre 10 centim., and heavily-constructed work, but the Government would give a compensation to be fixed. These propositions, however, have not been carried out, and the refusal to allow the construction of the tramway has been adhered to by the officials in Tunis, resulting most disastrously to the Company, causing not only the loss of its profits, but serious depreciation in the value of its capital; also an advantageous arrangement for the construction of the tramway has been forcibly abandoned.

These items constitute a claim to damages of a very serious nature, the details of which the Company is ready to submit whenever your Lordship desires it.

In view of the possible alteration in the British Consular jurisdiction in Tunis, the Directors submit to your Lordship the position of the interests of this Company, and respectfully beg that the protection of Her Majesty's Government be given to the same.

I have, &c.

(Pro R. W. Surtees),

(Signed) W. H. WESTIN.

Inclosure 2 in No. 134.

Mr. Surtees to Earl Granville.

My Lord,

72, Bishopsgate Street Within, London, January 7, 1884.

I HAD the honour to make a communication to your Lordship on the 18th ultimo respecting the claims of the Franco-English-Tunisian Esparto Fibre Supply Company, Limited, upon the French Government for wrongful interference with their operations in the Regency of Tunis, through which they have received very serious and irreparable damage.

On behalf of the above Company, I now beg most respectfully to submit the amount of the claim, namely, 390,000*l.*, and also to give explanations how this amount is arrived at.

The Company bought the Concession for a term of ninety-nine years; the French authorities have prevented the working it, as set forth in the Notice of Claim of the 18th ultimo, and the Company conclude that the prohibition is permanent, therefore base their claim on a ten years' purchase of the estimated profits. These profits, after the most careful investigation, were calculated at 39,000*l.*, and so set forth in the prospectus attached, upon which the public subscribed capital.

To prevent misconception as to the standing of the enterprise, or an impression being formed that it is of an adventurous character, I beg to submit to your Lordship the following facts:—

Out of the many Concessions that had been made by the Bey of Tunis the one purchased by the Company was singled out by the French as meriting their approval and requiring their support, as the operations of the Company would have the effect of providing means of subsistence to the Arabs in districts where harvests are uncertain, owing to the frequent absence of rain, producing unsettled habits in the nomads, so detrimental to good government. The objects of this Company have always been treated as of the highest importance by the civil and military authorities in Tunis, so much so that in 1882 the Company's representative, wishing to visit the mountains, was escorted by a column of soldiers, numbering 120, and a train of 200 camels and other animals for several days. At the latter part of the same year a column of soldiers was placed at the Company's station at Skhira as a moral support to a party of surveyors who were examining the neighbouring country.

At the request of the Colonel of the district, the Company's agent placed stores of food for the returning Arabs from Tripoli, who were expected to arrive in a starving condition.

It was from a knowledge that the projects of the concessionnaire were receiving support from the French authorities which induced the Directors to purchase the Concession for the Company. In addition to the foregoing advantages, the operations of the Company would have the effect of increasing the revenue of the Regency by a minimum of 11,000*l.* per annum, as the smallest quantity of esparto the Company would export is 20,000 tons, which pays an export duty of 11*s.* per ton.

Just recently the Company's agent telegraphed that 3,000 tents had returned to the conceded districts; upon which information the Company immediately arranged to remit money weekly to provide employment for the Arabs, and so prevent their dispersion, notwithstanding the opposition of the authorities now experienced and complained of.

For these facts (proving the importance of the Company's intended operations in Southern Tunis) I can with confidence refer to the French Minister Resident at Tunis.

It will be out of place for me to submit to your Lordship the reason why a Company which was so welcomed in Tunis at first should for more than a year have received the steady opposition of the French. I will, therefore, limit my duties to the foregoing explanation, showing how the claim arises, and proving the position of the Company by the before-mentioned facts.

The estimate of profits of the Company is calculated on 150,000*l.*, which at 26 per cent. per annum, as explained in the prospectus, give 390,000*l.* for ten years.

Soliciting your Lordship's earnest consideration of this claim, I beg, &c.

(Signed) R. WATSON SURTEES, *Secretary.*

No. 135.

Earl Granville to Mr. Reade.

(No. 11.)

Sir,

Foreign Office, March 15, 1884.

WITH reference to my despatch to Dr. Arpa No. 3 of 30th January, I transmit to you herewith copy of a letter which has been received from Mr. Giuseppe Pace, stating that he is in possession of documents proving the identity of his son's murderer, and that he is desirous to obtain, through you, an Amar Bey to enable him to prosecute the murderer before the Arab Tribunal.*

If your intervention is required to enable Giuseppe Pace to institute judicial proceedings, I have to request that you will afford it to him, provided that you are satisfied that a *prima facie* case exists against the person or persons whom he proposes to prosecute.

I forward herewith under flying seal, for transmission to its destination, my reply to Mr. Pace's communication.†

I am, &c.
(Signed) GRANVILLE.

No. 136.

Sir J. Pouncefote to Mr. G. Pace.

Sir,

Foreign Office, March 15, 1884.

IN reply to your letter of the 1st instant, I am directed by Earl Granville to inform you that Her Majesty's Agent and Consul-General has been requested to render you such assistance as may be necessary, if his intervention is required to enable you to institute judicial proceedings against the alleged murderer of your son, and provided that he is satisfied that there is a *prima facie* case against the person or persons whom you propose to prosecute.

I am, &c.
(Signed) JULIAN PAUNCEFOTE.

No. 137.

Memorandum communicated by M. Waddington, March 17, 1884.

LE Gouvernement du Bey de Tunis est tout disposé à donner une prompte satisfaction au Cabinet de Londres en désignant l'arbitre qui doit le représenter dans le règlement des réclamations Anglaises.

Toutefois, le Gouvernement Français estime qu'il serait nécessaire, avant le commencement des opérations d'arbitrage, que la liste des affaires que les arbitres seront appelés à juger définitivement fût arrêtée d'un commun accord entre Mr. Reade et la Résidence Française.

Celle-ci n'a encore reçu du Consul de Sa Majesté Britannique aucune communication au sujet des trois affaires qui, indépendamment des réclamations du Général Ben Ayad et aux termes d'une lettre du 12 Mars du Sous-Secrétaire d'État Permanent aux Affaires Étrangères à l'Ambassade de France à Londres, devraient être déferées à la juridiction arbitrale en question.

Toutes les réclamations figurant sur la liste définitive présentée par Mr. Reade à la Résidence Française, comme devant être soumises à l'arbitrage, ont été d'un commun accord éliminées à l'exception de deux: celle du Général Ben Ayad, et celle de la Compagnie des Alfas.

Cette dernière réclamation paraît aux yeux du Gouvernement Français devoir être soustraite à la juridiction arbitrale, en raison de l'Article 7 du Décret de Concession qui défère le règlement des contestations à la compétence du Tribunal Français.

Londres, le 17 Mars, 1884.

Sir J. Pauncefote to the Law Officers of the Crown and Dr. Deane.

Gentlemen,

Foreign Office, March 17, 1884.

WITH reference to my letters of the 10th and 12th instant, I have the honour to transmit to you, by direction of the Secretary of State, the accompanying letter from the Secretary of the Franco-English Tunisian Esparto Fibre Supply Company, stating at length the objections of the Company to the contention of M. d'Estournelles, the French Chargé d'Affaires at Tunis, that their claim to compensation arising out of the refusal of the French authorities to allow them to construct a tramway for the conveyance of their produce must be submitted to the French Tribunals at Tunis, under Article 7 of the original Concession to M. Duplessis.*

I am to request that you will take this letter into your consideration in conjunction with the papers now before you on this subject, and that you will favour Lord Granville, at your earliest convenience, with your opinion on the question submitted in my letter of the 10th March.

I am, &c.
(Signed) JULIAN PAUNCEFOTE.

No. 139.

Mr. Surtees to Earl Granville.—(Received March 18.)

My Lord,

72, Bishopsgate Street Within, March 17, 1884.

I HAVE the honour to inclose to your Lordship extract from an Agreement between the Prime Minister of the Bey of the first part, and M. Duplessis of the second part, which is referred to by Baron d'Estournelles as the ratification of the Concession.

Confirming my letter of the 15th instant addressed to your Lordship, I beg, &c.,
I beg, &c.

(Signed) R. W. SURTEES.

Inclosure in No. 139.

Extract from Agreement between the Bey of Tunis and M. Duplessis.

ARTICLE 7. Les parties, d'un commun accord, décident que toute contestation qui pourra s'élever entre eux sera jugée par le Tribunal Français à Tunis.

Il en sera ainsi même dans le cas où M. Duplessis viendrait pour une cause ou pour une autre à céder ses droits.

No. 140.

Sir J. Drummond Hay to Earl Granville.—(Received March 19.)

(No. 18.)

My Lord,

Tangier, March 12, 1884.

WITH reference to your Lordship's despatch No. 55 of the 22nd December last, and to my despatches Nos. 3 and 10 of the 8th January and 6th February, I have the honour to transmit a translation of a letter addressed to me by Cid Mohammed Bargash, informing me that the Sultan had caused an inquiry to be made into the statements of the Sûs and North African Company, that their agents had been induced by one of the Sultan's officers, named Kaid Boazza, and another Moorish official to disembark merchandise on the Soos coast by giving assurances that their property would be safe.

It is declared that no such assurances were given by the Sultan's officers, and that no Moorish authority could ever have granted such permission; but it is acknowledged that Kaid Boazza, having received instructions from the Sultan to arrest Mr. Curtis, had sent a message to assure him that he need have no fear as regards his personal safety, and

* No. 134.

that he would be conveyed, via Agadeer, to Mogador, where he would be delivered over to the British Consul.

With regard to the Moors Hadj Hamdan and Jelaly, who are alleged to have been the agents of the Sûs and North African Company, and who are now imprisoned in the city of Morocco, the Sultan has directed Cid Mohammed Bargash to inform me that, though it is asserted that these men had taken an active part in inducing the agents of the Sûs and North African Company to commit infractions of the law, yet, as I have interceded on their behalf, they are pardoned by His Majesty, on the condition that they give surety not to return to the district where the contraband proceedings are alleged to have taken place.

Cid Mohammed Bargash has informed me verbally that, if I would become surety for the future conduct of these men, they would be liberated at once; but I declined to assume that responsibility.

In the reply that I am about to address to Cid Mohammed Bargash, I shall inform his Excellency that, to avoid the delay that would be occasioned in the liberation of these men by an application to Her Majesty's Consul at Mogador to obtain the required surety and transmit it to me, to be forwarded to the Court, I shall request the Consul, Mr. Payton, as soon as the required surety is obtained, to transmit it through the Governor of Mogador to the Governor of Morocco, and I shall request that the latter be directed by His Shereefian Majesty to liberate the men on the receipt of the surety from Mogador.

I have, &c.
(Signed) J. H. DRUMMOND HAY.

Inclosure in No. 140.

Cid Mohammed Bargash to Sir J. Drummond Hay.

(Translation.)

(After usual compliments.)

Tangier, March 8, 1884.

WE received your letter* of the 4th January, making known to us the statements of the agents of the Sûs and North African Company to the Government of Great Britain regarding the conduct of the Sultan's officer, Kaid Boazza, and of another officer, that they had encouraged the agents of the aforesaid Company to land with their merchandize in the district of Soos, and you requested that an inquiry should be made into the conduct of this officer, and that the result be communicated to you, in order that you might inform the Government of Great Britain. Subsequently we received your letter of the 3rd March, informing us that you had received instructions from your powerful Government to urge that a reply be given to the above-mentioned letter (of the 4th January), and you transmitted to us the translation of a declaration that Hadj Hamdan Busheikh, who is now in prison in Morocco, was residing in Mogador when the steamer went to Erksheesh, and that he took no part in the contraband transactions, and you renewed your request that he and his son, and also Jilaly, should be liberated.

Know, O esteemed friend, that we transmitted your first letter to the Court of our Lord, and we requested His Shereefian Majesty to give orders for this inquiry to be made, as had been requested by you.

His Majesty's reply has been received to the following effect.

When Curtis acted as he did, in landing on the Soos coast in direct contravention of the laws and regulations of these dominions, though we had frequently protested both verbally and in writing, and had published a notice in the English papers that any goods landed in those districts would be considered as contraband, our Lord the Sultan dispatched one of his officers with orders to take him (Curtis) and to deliver him in safety into the hands of the Consul at Mogador, though the medium of the Governor of Agadeer. When the said officer, Kaid Boazza, arrived, and was informed that Curtis, on hearing of his arrival, feared for the safety of his person, he sent to him to say: "Let your mind be at ease," and he engaged that no harm should come to him, and that he would be delivered in safety into the hands of the Consul. This was effected. This assurance was given by the aforesaid officer with the object of the Sultan's orders† being carried out.

With regard to the statement made by the Company, that Kaid Boazza and the other officer sent by the Sultan had encouraged the disembarkation of merchandize, it

* Copy was sent to Foreign Office in No. 3 of January 8, 1884.

is not true, as the aforesaid officers never gave such permission, nor could they give such permission to them (the agents) or to any one else, for, as you are well aware, the ports that are opened to trade are opened by special orders from the Sultan, and not by the permission of any Governor or other officer, especially in a site which was never opened to trade. Neither Curtis nor the Company can therefore pretend, as they did, that they acted with the consent of Kaid Boazza, or of any other officer, in disembarking goods. Such proceedings could only be effected by a Shereefian order.

With regard to Hadj Hamdan and Jilaly, they are those who took part in inducing Curtis to act as he did, and they were the medium of communication between him and some of the badly-behaved inhabitants of those districts, and they were also engaged in endeavouring to export minerals thence. This is the reason why they were arrested. We do not doubt but that if your powerful Government, and you also, had full knowledge of their conduct, as we have, you would not be disposed to attend to the pleadings of the Company on their behalf. But since you have interceded, and have asked for their release, our Lord the Sultan has agreed to pardon them in consideration of your intercession upon the following conditions: that surety be given that they will never again take any part in any contraband proceedings or in matters regarding minerals, which have brought about these questions between the two Governments, and that they will not return to those districts. If they do return, they will be arrested without further question regarding them.

We have made known to you the purport of the reply of his Shereefian Majesty, so that you may communicate to us regarding the conditions of the prisoners being set at liberty. As to the son of Hadj Hamdan, we are about to write to our Lord that he be included in the act of clemency.

Friendship and peace.

(Signed) MOHAMMED BARGASH.

1 Jumada 9, 1301 (March 8, 1884).

No. 141.

Sir J. Drummond Hay to Earl Granville.—(Received March 19.)

(No. 19.)

My Lord,

Tangier, March 13, 1884.

WITH reference to my despatch No. 18 of yesterday's date, transmitting the translation of a letter from Cid Mohammed Bargash, communicating the reply of the Sultan regarding the result of the inquiry which has been made into the charges put forward by the Sûs and North African Company against two Moorish officials, I have the honour to inclose a portion of a local paper, the "Al-moghreb Al-aksa," of the 9th instant, containing a letter addressed to the Editor by a Director of the said Company, in which he comments upon, and complains of, the conduct of Her Majesty's Government in this affair, and generally of the neglect of the interests of British subjects by myself, as contrasted with the conduct of affairs by the Representatives of other Powers in dealing with this Government.

As this letter is probably published in some of the English papers, and, as the attention of Her Majesty's Government may be drawn to the charges which are evidently directed against myself of neglect of British interests, and that the subjects of other nations are placed on a better footing, I beg to state that these charges are without the slightest foundation, and no one can show that privileges are enjoyed by foreign subjects in Morocco which are not possessed by British subjects.

The French Minister, on his visit to the Moorish Court in the spring of 1882, demanded that the outstanding claims of French citizens upon Moorish subjects should be settled and paid by the Moorish Government within six months, agreeing, at the same time, to make a large reduction in the claims put forward by the French Government upon the Sultan for indemnifying the loss of property in Algeria caused by the raids of Boo Amama and other Chiefs dwelling on the Moroccan territory. I was at the Moorish Court at the same time as the French Minister, and, on hearing that the Sultan had consented to settle the French claims, I required that the claims of British subjects should be placed on an equal footing. This was agreed to, as your Lordship will learn from the accompanying translation of an extract from a letter addressed to me by the Vizier Mukhtar in May 1882. The French Minister had presented at the Court documentary evidence of the claims of French citizens, and, as I had not been provided by British subjects with like proofs of their claims, I was requested by the Vizier to call upon them to present written evidence of their claims. French claims, I may remark,

were far less numerous, and were insignificant in comparison with the claims of British subjects.

From various causes considerable delay took place in the production of all the documents of the British claimants, and they were not presented to Cid Mohammed Bargash for delivery to the Commissioners sent from the Court to investigate them until about seven months ago.

I have repeatedly urged that the Commissioners use diligence in the investigation, and that the claims should be transmitted to the Court for settlement, as had been engaged. The procrastination and negligence of Moorish officials are proverbial, and a constant source of annoyance. The accompanying extracts from letters addressed to me by the Vizier will satisfy your Lordship that I have never ceased to call upon this Government to fulfil their engagements.

With regard to the claims of the subjects of other Powers, I can declare that no payment of them has yet been effected. The Italian Government, as your Lordship is aware, sent a squadron to support their Minister in his demands for a settlement of claims, and it was finally arranged that the Moorish Government would collect the debts and pay within the term of one year. Cid Mohammed Bargash has formally engaged that the claim of Italian or other foreign subjects will not be settled before those of the British, and in consequence of my pressing representations he has assured me that the claims of British subjects will be forwarded to the Moorish Court for settlement in the course of this month.

My chief object in addressing your Lordship this despatch is to provide your Lordship with information in case any questions are put in Parliament in consequence of the inaccurate statements and charges put forward by the Sûs and North African Company.

Though I have assured your Lordship in this despatch that no privileges are enjoyed by the subjects of foreign Powers which are not granted to British subjects, I have to admit that the general minatory attitude and dictatorial language resorted to by the French Minister and the members of his Legation in their dealings with this Government and with the local authorities, enable them to impose their will, as has lately occurred in affording French protection to the Great Shereef of Wazan, and in insisting that French citizens shall be allowed to travel in the country of Reef, where the Sultan has very little power of control.

In questions with the local authorities, no consideration is shown for their independent rights, and violent and abusive language is frequently resorted to by French officials until their demands are acceded to. It may, therefore, be admitted that the French have an ascendancy over the minds of Moorish officials, and a preponderance in dealing with this Government as contrasted with other foreign Legations. How can it be otherwise. France occupies the neighbouring State of Algeria, and has a large force there, ready at any time to march across the frontier. The Sultan knows that he has no means of resisting a French invasion. These facts suffice to give the French Legation a preponderance.

In affording these explanations, I beg to add that it would not only be repugnant to my feelings to take advantage of the weakness of this Government, and impose our behests regardless of their rights, especially as I am convinced that Her Majesty's Government would not approve or support me if I was to separate myself from the line of conduct I have hitherto pursued in my dealings both with the Sultan's Ministers and with the local authorities.

I have, &c.

(Signed) J. H. DRUMMOND HAY.

P.S.—I have just been informed that M. Ordega attaches such importance to the letter of the Director of the Sûs and North African Company, as testifying to the preponderating influence he has obtained, and to the neglect of British interests, that he has caused a translation to be made of it into French for transmission to Paris, and for publication in the "Reveil du Maroc," a newspaper printed in Tangier, and supposed to receive a subvention from the French Legation. M. Ordega, it is said, frequently writes the leading articles in the journal, which trumpet forth the civilising and beneficial influence of France and of his proceedings, and reflects, on the other hand, on the torpid action of the Representatives of other Powers, especially of Great Britain, in Morocco. The other local paper, "Al-Moghreb Al-aksa," generally echoes the opinion of the "Reveil," the editor being on intimate terms with members of the French Legation.

J. H. D. H.

Inclosure 1 in No. 141.

Extract from the "Al-moghreb Al-aksa" of March 9, 1884.

To the Editor of the "Al-moghreb Al-aksa."

Sir,

London, February 24, 1884.

HOWEVER distasteful comparisons may be as a rule, we cannot help drawing them as aggrieved parties whose dignity and national pride are wounded. The results reported in the general press of the successful issue of French negotiations in Morocco makes us feel awfully small and humble at our comparative insignificance in the eyes of the world.

Turn whichever way you please, there is not a corner in the whole Globe where the name of Englishmen stands second to any other, except in Morocco, a paltry State which owes its independence, its very existence, we may say, to England's paternal counsel and influence, as it is an uncontested and incontestable fact that were the British Lion's watchful eye withdrawn from over Morocco, then goodbye independence or existence of the long-coveted and easy prey such as Morocco is.

What do we get in return from this petted and spoilt child?

Italy shows her teeth and gets at a moment's notice what England apparently sues for in vain for years. Spain only thinks of whispering her wishes and they are satisfied. Germany asks and has; Portugal demands and is equally satisfied; America insists and gets redress; and France has but to lift her finger to vindicate its own rights and open the road for all other nations who like to follow in her wake. And what does England? She looks on, advises Morocco and coaches it out of its self-made difficulties, in other words, encourages effete political principles which, if chastised in time might cease for the benefit of all civilized Powers. Admitting that England's influence or the balance of power require her indirect protection to Morocco, can that be a sufficient reason for the degradation of British name? Does such a policy justify her subjects holding the most abject position among other foreign residents without redress? The fact of being known as an Englishman, which serves as a passport in all parts of the world, is sufficient to make your claims disregarded, however just in their nature, your representations treated with indifference, your interests sacrificed, and your rights outraged. Worst of all our misfortunes, it suffices for a Moor, however unprincipled and immoral, to make a statement for your declaration as an Englishman to be discredited, and your case rejected from the Foreign Office down to the lowest Vice-Consulate! When your case is indisputable you fare no better, as if taken in hand it is invariably intrusted to the care of scheming interlopers who occupy no official post and yet pretend to be England's agents, though her representative repudiates the man officially and employs him privately.

In such hands the clearest cases are so twisted and disfigured that in nine out of ten the very parties interested can make nothing out of them, and with an aching heart give up every hope of ultimate redress. If you refer to the Foreign Office you are sent back to the very officers complained of, and have to suffer all kind of humiliation and reproach for presuming to complain while the Foreign Secretary thinks his duty as an Englishman has been done towards his country and countrymen, by throwing you back into the lion's den, tied hand and foot. If again your interests are, so to say, defended, how is that done? Where other Powers insist and demand their rights, England asks it as a boon, and the wily Moor with his prevarications and subterfuges humbugs you, *ad vitam eternam*, and laughs in his sleeve at your simplicity for believing what he says.

As an example take the result of the foreign Embassies to Morocco. Two years ago promises were made simultaneously to England and France, promises which were to be fulfilled in six months from the time they were given. These promises were redeemed with regard to France, punctually to the day, while English claim remains unnoticed. Better still. Italy comes in months afterwards and obtains what was promised England, whose subjects have to live and pay their creditors with false official assurances.

Yet we know that when British prestige is invoked immediate satisfaction is given in Morocco as in all other countries; but these are isolated cases, more especially made for official satellites and hangers on, who have neither right nor title to British intervention and are officiously protected as friends or servants of somebody. Indeed, why should we stand in Morocco lower than any other foreign subjects? Are our commercial interests inferior or our Treaties weaker; have we not the right of the most favoured nations? Are our guns of inferior weight or metal, our powder colder and our ships

smaller than other nations? Have we no gallant soldiers and sailors to enforce our claims in Morocco as they have done elsewhere? Then why should we be treated with less respect? why should not our Foreign Office resent the ignominious treatment of British subjects?

The fact is, the Foreign Office seems to have taken up the attitude of the circumlocution department, and is so determined not to do it; that every trivial report from a Moorish official, who only speaks the truth by mistake, is taken in preference to an Englishman's declaration upon oath, even when the Moor's reports are only verbal. To such fabrications and tissues of falsehood Englishmen's interests are invariably sacrificed, their rights trampled on and their best feelings of national pride laid low as the dust, thanks to the persistent credulity of English Government employés, who will not take the trouble of investigating.

Thanks again to this blind policy, while England stands highest in commercial statistics of Morocco, there is hardly one English resident who can boast of prosperity in his commerce, yet all other foreign subjects, be they French, Spanish, Portuguese, Italian, or German, get to the top of the tree in comparatively short time. It is nevertheless undoubted that British traders are not less energetic, less enterprising, or poorer merchants than their foreign neighbours, and what makes the anomaly more strange is the fact that the former generally come backed up with capital which they lose, while the latter seldom bring any and prosper.

Such facts are sufficient to call for an enquiry by the British Chambers of Commerce, who should do it through the Government direct and not through the Foreign Office, whose uppermost ideas are diplomatic relations, which it upholds while neglecting the backbone of England's prosperity, her commerce; and by grasping at the shadow lets go the substance and gets laughed at by the Moor who derisively thinks "what fools these English are to believe all I say."

As further proofs of how British interests are trifled with, let me draw a sketch of the Sûs and North African Trading Company's ill-usage, not only by the Moorish Government, but by the authorities at home who take for granted any Moor's statement based on false reports and devoid of all foundation.

Every one in Morocco knows that the Sûs districts south of Agadir have from time immemorial been independent of the Sultan's authority, as is proved by declarations made to Spain in 1861, when she demanded the execution of the Wad-Ras Treaty of Peace. In a despatch dated the 25th March, 1861, Señor Merry intimated to his Government the Sultan's declaration of having no authority over those districts. On the 22nd April, Muley Abbas declared again that his brother had no authority over the Regency of Soos, and Señor Merry asked his Government to treat direct with the Chiefs of that State which he qualified as "independiente de hecho." Again on the 2nd May, 1862, the same Plenipotentiary urges the importance of treating with the Chiefs, and on the 23rd and 30th June Señor Merry styles Soos a Republica.

In 1863 we again find the Sultan declaring his powerlessness to comply with Article VIII of the Treaty of Wad-Ras, owing to his having no power over that territory.

In the presence of such assurances and official declarations, some English traders concluded Treaties with the Chiefs to open a port at Ait Bou Amran, and subsequently sold their rights to an English Company, who sent out a steamer with cargo to Erksheesh in February 1883.

The Sultan of Morocco, forgetful of his father's declarations and the unfulfilled Treaty with Spain, pretended to have authority over Soos, and failing in its attempt to frighten the English traders away, the Moorish Government invited the Company's agent to a conference in Morocco city, and in the meanwhile incited the neighbouring tribes to plunder the Company's depôts.

This brought about a lengthened correspondence of which the following letters are the most important:—

"Gentlemen,

"Foreign Office, September 22, 1883.

"With reference to the letter from this Office of the 16th August, I am directed by Earl Granville to acquaint you that a report has now been received from Mr. White, Her Majesty's Chargé d'Affaires at Tangiers, respecting the alleged plunder, at Erksheesh, of property belonging to the Sûs and North African Trading Company.

"It appears from a communication addressed to Mr. White by the Moorish Government, that the effects left by Mr. Curtis at Erksheesh have been taken possession of by the Kaid or Local Governor, by order of the Sultan, as contraband, an inventory copy of which has been forwarded to Mr. White, having been duly made; and that two

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ALTY WITHOUT PERMISSION OF THE
PUBLIC RECORD OFFICE, LONDON

Moorish subjects employed by Mr. Curtis have been arrested and sent to prison at Morocco for being engaged in an illegal traffic.

"I am to remind you that the Sûs and North African Company have been repeatedly warned, both by this officer and by notices inserted in the public press, that trading proceedings on the Soos coast are in contravention of the laws of Morocco, and that if the Company persisted in carrying them on, they could do so at their own risk and peril. And I am to call your special attention to the letter from this Office of the 12th December, 1881, in which the Company were warned 'that they must not expect protection from Her Majesty's Government in the event of any measure being taken by the Sultan to prevent illegal trading along the coast, under agreements with native Chiefs who have no authority to enter into them.'

"I am to state that under these circumstances Lord Granville must decline to take any action on your representations.

"I am, &c.
(Signed) "PHILIP W. CURRIE.

"Messrs. Mc Naught, Pearse, and Co.,
"9, Crosby Square, E.C."

"Gentlemen,

"Foreign Office, October 18, 1883.

"I am directed by Earl Granville to acknowledge the receipt of your letters of the 10th and 12th instant, having reference to the seizure, by the Moorish authorities in Soos, of property belonging to the Sûs and North African Trading Company, and to the imprisonment of some of their servants, and in reply, I am to refer you to the letter from this Office of the 22nd ultimo, and to state that Earl Granville regrets that for the reasons therein explained, he is unable to his decision not to interfere on behalf of the Company.

"I am, &c.
(Signed) "J. PAUNCEFOTE.

"To Messrs. Mc Naught, Pearse, and Co.,
"9, Crosby Square, E.C."

From the tenor of these letters it seems evident the Foreign Office relying on the mere word of Moorish officials, although these were made in contradiction of official declarations made to Spain, repudiated English traders, claims and charged the Company with illegal traffic. If the Sultan had any authority, why did he not prevent the landing of the Company's goods? why did he not punish even one out of the forty or fifty Chiefs, whose signatures were attached to the Treaties, and publicly announced for over two years, before the Company embarked in what Mr. White styles illegal traffic?

The Foreign Office regardless of reason or even common sense, preferred to recognize and uphold the fictitious claims of a Government, whose only show of authority was its connivance with looters, instigated by its emissaries, in violation of every right. The most amusing part of the *embroglio* is this. Since the Company failed to get redress through the Foreign Office, it has appealed to greater authority, and when the British public and Chambers of Commerce expressed their just indignation, the Foreign Office roused from its apathy, throws the blame on the British Legation, who, in its turn, endorses it to the Moorish Government, as can be seen from the following documents, couched in a peculiar official style, which, nevertheless, does not exonerate British officials from responsibility for having put too much faith where they should not.

The letter acknowledges that "Her Majesty's Government was awaiting the official reply from the Moorish Government . . . since up to the present time Her Majesty's Government had only received the reports of certain verbal communications, &c."

Sad to confess, sadder to hear. British property is looted, British traders treated as smugglers, and reported as being taken prisoners for illegal traffic, their servants kept in dungeons, in contravention of the Treaties, without a trial or even an inquiry; and all that on the mere verbal report of a Moor, who will give a dozen falsehoods in less than as many minutes. Will not Englishmen blush at this, and wish they were Hottentots or Ashantees; in fact, anything but British, as long they have anything in common with Morocco?

Here is the famous epistle where the Foreign Office, in a roundabout way, confesses its neglect of duty:—

"Gentlemen,

"Foreign Office, February 2, 1884.

"I am directed by Earl Granville to acknowledge receipt of your letter of the 28th ultimo, inclosing a pamphlet relative to the treatment of the agents and servants of the Sûs and North African Trading Company by the Sultan of Morocco, and requesting that his Lordship's attention may be directed to the facts of the case as therein set forth.

"I am now to inform you, in reply, that Her Majesty's Government are still awaiting the official reply of the Moorish Government to the representation which Sir J. D. Hay was instructed to make on the subject of your last application, since up to the present time Her Majesty's Government have only received the report of certain verbal communications which have passed between Her Majesty's Minister at Tangier and the Prime Minister of the Sultan on the subject.

"I am, &c.
(Signed) "J. PAUNCEFOTE."

It is an old saying and a true one, that "It is an ill wind that blows nobody good." Perhaps the ill-usage of the Company may after all be productive of some good to the British residents in Morocco. At all events, steps have at last been taken in the right direction, and commercial interests, if once placed under the protection of Chambers of Commerce, will be sure to fare better than at the hands of an Office, which, independently of its indifference to all that is not diplomatic, in most cases knows no more about commerce and its vicissitudes than about the philosopher's stone.

As our Chambers of Commerce seem to take the correct view of things, it is, I think, high time for British traders in Morocco to know where to apply for redress of their grievances. The public will see from the following two letters the London Chamber of Commerce does not throw up the sponge so quickly, and whichever may be the result to our Company, it is a satisfaction for all to know that Englishmen have the right and the power at their disposal to call officials to account for failing to duty.

"Dear Sir,

"84-85, King William Street, February 12, 1884.

"I have this afternoon laid your letter of the 7th instant before my Executive Committee.

"It was decided to recommend to the Council that some action should be taken, and that, with a view to better informing the Executive Committee of the facts of the case, I am desired to ask you to attend the next meeting of that Committee.

"I shall therefore send you notice for this meeting in due course as soon as it is fixed, and meanwhile,

"Yours truly,
(Signed) "K. B. MURRAY,
"Secretary London Chamber of Commerce.

"E. Pearse, Esq.,
9, Crosby Square."

"Gentlemen,

"February 15, 1884.

"Your papers were considered at the monthly Council meeting of this Chamber yesterday, when it was decided Lord Edmond Fitzmaurice should be asked, privately in the first instance, and officially afterwards, if necessary, as to the position of matters in Mogador and Sûs.

"I am in communication with the members of Parliament representing this Chamber as to who will undertake the matter, and as soon as I have found a willing mouthpiece I will place you in direct communication with that gentleman.

"Yours faithfully,
(Signed) "K. B. MURRAY,
"Secretary London Chamber of Commerce.

"Messrs. Mc Naught, Pearse, and Middleton,
"9, Crosby Square."

If I avail of your kind medium to give this publicity, I do so from a desire that Englishmen residing in Morocco may know that it only requires some firmness on their part, and a just cause to back, for their rights to be respected as much as those of other nations. I also wish that those of your readers who can either corroborate or refute my statements may come forward and enlighten the British public as to the "state of things in Denmark"—I was going to say Sodom and Gomorrah.

Yours obediently,
A Director of the Sûs and North African Trading Company.

F.O. 403/51

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Inclosure 2 in No. 141.

Vizier Mukhtar to Sir J. Drummond Hay.(Translation.)
(Extract.)*Morocco, May 7, 1882.*

THE arrangement entered into regarding French claims is to be the basis of the arrangement with you regarding the claims of British subjects; no difference or preference whatsoever. The term fixed for the settlement of the French claims shall be the same as with you, without difference.

Inclosure 3 in No. 141.

Vizier Mukhtar to Sir J. Drummond Hay.(Translation.)
(Extract.)*Morocco, May 7, 1883.*

TO sum up, our Lord has requested that you forward to the Shereefian Court the documentary evidence of the claims through Cid Mohammed Bargash. When received they will be promptly settled without delay.

Inclosure 4 in No. 141.

Vizier Mukhtar to Sir J. Drummond Hay.(Translation.)
(Extract.)*Morocco, November 25, 1883.*

OUR Lord has desired me to reply that, with regard to the claims of British subjects, and their settlement as agreed upon with you, they shall be without doubt settled. His Shereefian Majesty has sent renewed orders to his Minister (Cid Mohammed Bargash) to hasten the investigation of the documents, and to forward them.

No. 142.

Sir R. Morier to Earl Granville.—(Received March 19, 8 A.M.)(No. 5.)
(Telegraphic.)*Madrid, March 18, 1884, 5 P.M.*

CAN I read confidentially to Spanish Minister for Foreign Affairs last paragraph of your Lordship's despatch No. 183 of 28th February to Lord Lyons?

No. 143.

Earl Granville to Sir R. Morier.(No. 2.)
(Telegraphic.)*Foreign Office, March 19, 1884.*

YOUR telegram No. 5.
No objection.

No. 144.

Earl Granville to Sir R. Morier.(No. 33. Ext. 2.)
Sir,*Foreign Office, March 19, 1884.*

IN reply to your telegraphic inquiry, I have to state that I have no objection to your communicating confidentially to the Spanish Minister for Foreign Affairs the substance of M. Waddington's language to me respecting the policy of France in Morocco, as recorded in the last paragraph of my despatch to Lord Lyons No. 183, Confidential, of the 28th February.

I am, &c.
(Signed) GRANVILLE.

No. 145.

Mr. Reade to Earl Granville.—(Received March 20.)

(No. 9.)

My Lord,

Tunis, March 13, 1884.

WITH reference to my despatch No. 66 of the 21st December last, reporting the invasion and forcible occupancy by a Greek subject named Gringa of a piece of ground belonging to General Benayad, I have the honour to submit the accompanying papers as evidence in support of a statement which is recorded in the former Report, to the effect that, when the outrage complained of took place, two guards placed there by my orders for the protection of the property were in effective possession of it.

From Sir Peter Brailas Arméni, the Greek Minister, with whom, during my late visit to England, I had the advantage of discussing at some length the various points involved in this case, I was glad to learn that he regarded the question whether the Consulate guards were or were not on the ground at the time of its seizure as the one which it was most necessary to determine, inasmuch as their existence there and then is officially denied by my colleague, the Greek Consul.

I therefore beg to inclose, in original, the written authorities with which those guards were furnished from my office, and sworn declarations (accompanied by a translation of them into French) that they were duly exhibited to the invaders at the moment of the latter's appearance on the ground. Should this testimony not be deemed a sufficient confirmation of what is stated in my former Report, I can only suggest, as a sure means of arriving at the truth, and the whole truth of this disagreeable affair, that the matter be submitted to arbitration, in which case the services of Sir Adrian Dingli might with advantage be availed of.

I should not omit to add, with regard to the original institution of the Consulate guards, that it was at the direct suggestion of M. Coinze, the French Consul-Juge, and in accordance with his advice, that I substituted a guard from my office for those who had been intrusted by Benayad with the protection of his property—a fact which I should not have failed to submit to the appreciation of the arbitrators, if, as I had hoped, the Maréchal case could have been referred to an arbitral Commission.

As, however, an understanding has been come to respecting the manner in which the claims of British subjects which have reference to questions that relate to real property shall be dealt with, and in order that the office which I have the honour to fill shall not incur the risk of any further outrage of the kind involved in the present case, I have felt it my duty to withdraw the guards I had placed on that portion of Benayad's property which adjoins the plots occupied by Messrs. Maréchal and Gringa, but which, although similarly circumstanced in point of title, has not been invaded by any other pretending claimant.

I have, &c.
(Signed) THOS. F. READE.

No. 146.

Earl Granville to Mr. Reade.(No. 5.)
(Telegraphic.)*Foreign Office, March 21, 1884, 5-35 P.M.*

YOUR despatch No. 7 and telegram No. 7.

There is no objection to the Levy and Scicluna claims being settled by private arbitration, if the parties prefer that mode of settlement; nor to Sir A. Dingli acting as private Arbitrator, if he be willing to do so.

Report whether this arrangement accepted, and, if so, whether it disposes of all claims except those of Benayad and the Esparto Company.

No. 147.

Earl Granville to Mr. Reade.(No. 12. Ext. 5.)
Sir,*Foreign Office, March 21, 1884.*

I GATHER from your despatch No. 7 of the 27th February, and your telegram No. 7 of the 11th instant, that it has been arranged between you and M. d'Estournelles that the Levy and Scicluna claims are to be settled by private arbitration.

[1446]

There is no objection to this arrangement if the parties interested prefer this mode of settlement, and so far as I am aware, there is nothing to prevent Sir A. Dingli from acting as private Arbitrator in these two cases, should he be willing to undertake that duty.

I have to request you to report whether this arrangement is finally accepted, and, if so, whether the cases of General Benayad and the Esparto Fibre Company are the only ones which remain to be adjudicated upon by the official Arbitrators under the arrangement between the two Governments.

I am, &c.
(Signed) GRANVILLE.

No. 148.

Sir R. Morier to Earl Granville.—(Received March 22.)

(No. 38. Confidential.)

My Lord,

Madrid, March 15, 1884.

THE following story told me by the Duke of Tetuan in the course of a very confidential conversation possesses interest both of a general and special kind: of a general kind, because it is typical of the kind of career still open in this country to political adventurers; of a special kind, because it throws light on the character of the Shereef of Wazan, who is just now occupying public attention in connection with Morocco.

The Duke was criticizing the diplomatic appointments made by the present Ministry. He said that amongst them was one which was as bad as any of those which had disgraced the Revolutionary period, viz., that of Señor Alba Salcedo, the editor of the "Patria," a rabid Conservative journal, to the post of Minister in China.

The following was this gentleman's career:—

Beginning life as a corporal of marines, he quitted that employment and took to gambling operations on the Bourse, in which he was successful. He then went into Parliament and founded the "Patria," a paper which distinguished itself by the incisiveness of its style and the cynicism with which it sold itself to the highest bidder, and alternately served and attacked all parties alike. For some considerable time, however, it had been faithful to the Conservative cause, and furnished it with the monopoly of its invective.

Whilst thus ostensibly occupied with journalistic and Parliamentary business, Señor Salcedo was, according to the national custom, using both to better his financial circumstances, and that with such success that he is now accounted a very wealthy man.

The following was a specimen of his *modus operandi*:—

The Shereef of Wazan, despite his great religious prestige derived from his supposed descent from the Prophet, and which the Duke of Tetuan stated enabled him to collect large pecuniary contributions from the Orthodox Moors, had spent much time and money at Paris, where he had contracted large debts and the habit of drinking champagne. Returning to Morocco by way of Madrid, Señor Salcedo singled him out as suitable material for speculation purposes, made his acquaintance, gave him a magnificent banquet, at which he met many great political personages, and produced upon him the effect that he, Señor Salcedo, was a person possessed of the highest influence with the Spanish Government. It was then no difficult matter for him to convince this Parisian Moor that there was a fine stroke of business to be done. The actual state of affairs could not continue in Morocco. Everything tended to show that a catastrophe was imminent, and that the rule of the Sultan was doomed. The Spanish Government were entirely pre-occupied with the solution to be given to the catastrophe when it occurred. They could not openly or by diplomatic means prepare for this eventuality, and had accordingly commissioned him to work secretly towards a solution. This was an opportunity not to be lost by ambitious and capable men like his Highness and himself.

The Shereef fell completely into the trap, and the following extraordinary plot was worked out between the confederates. The Shereef was to organize an attack upon the Spanish Legation at Tangier, whose occupants were to be massacred. This would afford the necessary pretext for marching a Spanish army into Tangier, whilst, on his side, the Shereef rose against the Sultan and drove him from his throne; on religious grounds, Spain would then make common cause with the Shereef, and he, to show his gratitude, would cede Tetuan and a large portion of northern Morocco to his protectors.

The conspiracy was managed with such consummate ability by Señor Salcedo, that the General Commanding at Ceuta and a Spanish Consular Agent were, without being admitted into the *penetralia* of the plot, made sufficiently acquainted with it to place them in communication with the Shereef, thus confirming the latter's belief that he was dealing throughout with the Spanish Government. A Levantine Interpreter to the Legation at Tangier, named Comandari, appears to have been one of the initiated.

The negotiations were carried on for some months, during which for each supposed communication made to the Spanish Government, and every step taken in furtherance of the Shereef's views, Señor Salcedo received from him payment in hard cash. But his Highness began to get impatient, and the game could not be continued indefinitely. It had to be brought to a crisis, which was done in the following fashion.

The Shereef was induced to write an autograph letter to the King of Spain, in which reference was made, without going into detail, to the arrangement supposed to have already been accepted by His Majesty, and the Interpreter Comandari, personating a Moorish Sheikh, arrived as Ambassador from the Shereef with the letter at La Granja, where the Court was staying. He was actually presented to the King by Señor Salcedo, and delivered his letter. This letter, in Arabic, was duly handed over by the King to the Duke of Tetuan, who was then Foreign Minister. The Duke had for some time been on the traces of the conspiracy, and the letter at once made all clear to him. The interpreter, who was not a Spanish subject, and could not otherwise be punished, was at once dismissed, the Vice-Consul sent off to Tunis, and the General at Ceuta appointed to a non-African post.

I asked why Señor Salcedo had not been shown up and punished. The reply was that it would have been difficult to establish exact proofs; that other and more important persons would have been compromised, and lastly, that there was no wish to make Moorish affairs worse confounded by telling the world that so important a man as the Shereef of Wazan was conspiring against the Sultan. In a word, so cleverly had the whole thing been managed, that Señor Salcedo felt sure from the first that every nerve would be strained to hush it up. The Duke had taken pains to ascertain what had been the exact money value of the plot to Señor Salcedo, and had convinced himself that from first to last he had got certainly not less than 160,000 fr. out of the Shereef, the largest contribution having been extracted for managing to deliver the autograph letter to the King, which was to bring the entire *fourberie* to its close.

The Duke of Tetuan told me he felt almost sure that he had related the story at the time to Mr. West. I looked up the correspondence, and found that Mr. West had not then been at Madrid, and that all that the Duke had said to Mr. Wyndham, who was then Chargé d'Affaires, was not to believe a word of what was being said in the newspapers in connection with Spanish plans in Morocco. But amongst this correspondence I found a remarkable despatch from Mr. Wyndham (No. 143 of the 21st August, 1879), stating that an unknown individual had called at the Legation, and volunteered to furnish the details of an important conspiracy going on in Morocco. He is told that Her Majesty's Legation do not pay for information of this kind, but that Mr. Macpherson will be glad to hear any statement he has to make, and he accordingly (as Mr. Macpherson's Memorandum of the conversation shows) tells the story I have related above, as regards all the principal incidents of the supposed plot, in exactly the same terms as it was told me by the Duke of Tetuan, except that the object appears to have been to show that the King was much bitten with the project, and was in fact one of the conspirators.

I have, &c.
(Signed) R. B. D. MORIER.

No. 149.

Mr. Reade to Earl Granville.—(Received March 22, 3.30 P.M.)

(No. 8.)

(Telegraphic.)

Tunis, March 22, 1884, 12.25 P.M.

IN compliance with your Lordship's telegram No. 5 of yesterday, I have communicated to Mr. Levy so much regarding him of that telegram. For arrangement, he is willing to wait until Sir A. Dingli's arrival. Scicluna has named another party, and I have so informed French Chargé d'Affaires. Claims on questions relating to real property being excluded, there are no other cases for arbitration than those of Benayad and Esparto Company.

Earl Granville to Mr. Reade.

(No. 6.)

(Telegraphic.)

Foreign Office, March 22, 1884, 5.55 P.M.

SIR A. DINGLI, the Arbitrator named by Her Majesty's Government, will be requested to be at Tunis on the 1st April, or as soon after as possible.

Earl Granville to M. Waddington.

M. l'Ambassadeur,

Foreign Office, March 22, 1884.

WITH reference to the Memorandum left by your Excellency at this Office on the 17th instant, I have the honour to acquaint you that it appears from the Reports received from Her Majesty's Agent and Consul-General, that the Esparto Fibre Company's case is now the only one besides that of General Benayad now awaiting arbitration, the other two having been otherwise disposed of.

I shall have the honour, later on, of addressing you a further communication upon the subject of the objection put forward to the admission of the Esparto Fibre Company's case to arbitration, and, in the meantime, I beg to acquaint your Excellency that Sir A. Dingli, the Arbitrator selected by Her Majesty's Government, will be instructed to be at Tunis on the 1st April, or as soon after as possible.

I have, &c.

(Signed) GRANVILLE.

Sir J. Pouncefote to Sir R. Herbert.

Sir,

Foreign Office, March 22, 1884.

I AM directed by Earl Granville to transmit to you herewith, to be laid before the Earl of Derby, copy of a letter which has been addressed to the French Ambassador respecting the proposed settlement by arbitration of certain outstanding claims of British subjects in Tunis;* and I am to suggest that Sir A. Dingli should be requested by telegraph to be at Tunis on the 1st April, or as soon after as possible.

I am, &c.

(Signed) JULIAN PAUNCEFOTE

Sir J. Drummond Hay to Earl Granville.—(Received March 24.)

(No. 20.)

My Lord,

Tangier, March 14, 1884.

I HAVE the honour to transmit an extract from a French journal, in which it is surmised that, when the questions in Tonquin are settled, the French Government intends to annex territory on the eastern frontier of Morocco, where, the writer says, a "Kroumir" tribe will be discovered.

M. Ordega, in the course of conversation with a colleague, mentioned that it would be necessary to rectify their frontier and advance it so as to include the Moulouya River. On the wall of his bureau is a map of Morocco and Algeria, in which the present frontier line is printed, but a new line has recently been drawn on that map, which includes the Moulouya River and other territory.

I do not consider that British interests would be in any way affected if the French were to advance the frontier to the westward of the present demarcation; but once the dismemberment of Morocco is commenced by its powerful neighbour we may expect that, in the course of a few years, annexation will follow.

I have, &c.

(Signed) J. H. DRUMMOND HAY.

Extract from the "Salut Public de Lyon" of January 18, 1884.

LA situation est donc très sombre et très menaçante.

C'est sans doute pour la rasséréner qu'il y a une nouvelle expédition à l'horizon.

Attendez-vous, cela est sérieux, à une entreprise du côté du Maroc.

Elle serait présentée, comme celle des Khroumirs, sous le jour d'un service à rendre à l'Empereur du Maroc, impuissant à faire la police chez lui.

Les nouveaux Khroumirs sont ceux du Maroc oriental, confinant au sud Oranais et ayant pour quartier général l'oasis de Figuig.

Cette aventure qu'on réservait pour le jour où le Tonkin serait pacifié, aura été brusquée par la certitude que l'on croit avoir d'une tentative prochaine de l'Espagne sur Tanger.

Sir J. Drummond Hay to Earl Granville.—(Received March 24.)

(No. 21.)

My Lord,

Tangier, March 14, 1884.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch No. 5 of the 4th instant on the subject of the protection lately granted by the French Government to the Shereef of Wazan on account of services which he had rendered to France in frontier questions with the tribes of Morocco, and directing me to ascertain and report to your Lordship whether the services said to have been rendered had been stated beforehand by the French Government to the Moorish Government in accordance with Article XVI of the Madrid Convention.

In an interview I had yesterday with Cid Mohammed Bargash, who had called upon me, I inquired whether he had received from M. Ordega a notification regarding the intention of the French Government to afford protection to the Shereef, as is laid down by the Convention of Madrid. Cid Mohammed Bargash repeated the language he had held to me on the 20th January last,* viz., that a letter had been addressed to him by M. Ordega, stating that he had received instructions from Paris, directing him to inform the Sultan that the Shereef Hadj Abdessalam of Wazan had been taken under French protection on account of the services he had rendered to France in frontier questions with the tribes of Morocco; that he called upon the French Minister before replying to this communication, and pointed out the serious injury which would be inflicted upon the Sultan's authority, in the hope of dissuading him from taking the Shereef under protection; but that M. Ordega told him clearly that the French Government would not recede from their decision, and that no question could be raised regarding a right ceded by Treaty.

Cid Mohammed Bargash told me that he had pointed out to M. Ordega that any services which had been rendered by the Shereef in frontier questions were services rendered to his rightful Sovereign the Sultan, as he had been dispatched by His Shereefian Majesty to Algeria and thence to the frontier to induce the tribes, through his (the Shereef's) spiritual influence, to abstain from committing raids on the Algerian territory.

M. Ordega declined to listen to these arguments, and gave Cid Mohammed Bargash, in peremptory language, to understand that a refusal on the part of the Moorish Government to accede to their demand might bring about very serious consequences.

I took the opportunity of pointing out to Cid Mohammed Bargash that, according to Treaty, protection does not extend to adult members of the family of a protected person, and certainly not to his dependents and followers. Cid Mohammed Bargash replied, "We cannot and dare not oppose the will of the French Government, be it right or wrong."

I was shown yesterday an interesting letter from a foreign Consular officer at Larache, who reports that, though the Shereef's conduct in placing himself under the protection of France had at first tended to lower him in the estimation of the Mohammedan population, a great change had latterly come over their minds, for they now say, "The Shereef of Wazan is a Saint upon earth, whom God inspires, and the

* See my despatch No. 7, Secret, of January 20, 1884 (ante, No. 92).

Almighty has led him to take the initiative in placing himself under the ægis of France to forewarn all Mussulmans in Morocco that their destiny also is to be under the rule of that Power." These sentiments I find prevail also amongst many respectable Moors at Tangier.

The Consular officer further said that the Shereef had Agents in the neighbouring districts of Laraiche engaged in inducing the inhabitants to place their lands in his hands, and that there was an eager desire on the part of many farmers to take advantage of it, in the hope of evading the payment of taxes or other dues to the Moorish Government.

He stated also that, since the Shereef Hadj Abdesselam had obtained French protection, his son, who is in charge of the sanctuary at Wazan, had arrested and flogged some soldiers or police of the Governor of Wazan, Cid Mohammed Gebbar, who is also a Shereef and near relative of Hadj Abdesselam, and that this Governor, finding his authority set at nought, had left the town.

If these reports are correct, they tend to show that the dissolution of all Government in this country and of the authority of the Sultan is taking place far more rapidly than was to be expected from the extraordinary act of the French Government in giving protection to the great spiritual Chief of Morocco.

I have, &c.
(Signed) J. H. DRUMMOND HAY.

No. 155.

*Earl Granville to Viscount Lyons.**

(No. 263. Confidential.)

My Lord,

Foreign Office, March 25, 1884.

I TRANSMIT to your Excellency herewith, for your confidential information, copies of despatches, as marked in the margin,† from Her Majesty's Minister at Madrid relative to Spain and Morocco.

I am, &c.
(Signed) GRANVILLE.

No. 156.

Earl Granville to Sir J. Drummond Hay.

(No. 10.)

Sir,

Foreign Office, March 25, 1884.

I HAVE received and laid before the Queen your despatch No. 19 of the 13th instant, inclosing copy of a letter which has appeared in a newspaper published at Tangier, complaining of the attitude of Her Majesty's Government towards the Sûs and North African Trading Company, and of the neglect of British interests in Morocco by yourself.

I have to thank you for the explanations with which you have favoured me upon this subject, and I can assure you that Her Majesty's Government attach no importance to this attack upon your conduct.

I am, &c.
(Signed) GRANVILLE.

No. 157.

Mr. Wingfield to Sir J. Pauncefote.—(Received March 26.)

Sir,

Downing Street, March 25, 1884.

I AM directed by the Earl of Derby to acknowledge the receipt of your letter of the 22nd instant regarding the departure of Sir A. Dingli for Tunis, and I am to inclose, in reply, for Earl Granville's information, a copy of a telegram which has been sent to the Governor of Malta on the subject.

I am, &c.
(Signed) EDWARD WINGFIELD.

* Also to Lord Ampthill, No. 67, Confidential; Sir S. Lumley, No. 58, Confidential; Sir J. Drummond Hay, No. 9, Confidential.
† Nos. 131, 132, and 133.

Inclosure in No. 157.

The Earl of Derby to Sir A. Borton.

(Telegraphic.)

DINGLI should be at Tunis 1st April, or soon after.

Downing Street, March 23, 1884.

No. 158.

Mr. Wingfield to Sir J. Pauncefote.—(Received March 26.)

Sir,

Downing Street, March 26, 1884.

WITH reference to previous correspondence I am directed by the Earl of Derby to transmit to you, to be laid before Earl Granville, a copy of a telegram from the Governor of Malta, inquiring whether Sir A. Dingli is to expect to receive his letter of introduction or credentials at Malta, or when he arrives at Tunis, and I am to request to be informed what answer should be returned to this inquiry.

I am, &c.
(Signed) EDWARD WINGFIELD.

Inclosure in No. 158.

Sir A. Borton to the Earl of Derby.

(Telegraphic.)

Malta, March 25, 1884.

CHIEF JUSTICE will reach destination 3rd April, will he have his credentials or letters of introduction here or at Tunis?

No. 159.

Sir J. Pauncefote to Mr. Wingfield.

Sir,

Foreign Office, March 26, 1884.

IN reply to your letter of to-day's date I am directed by Earl Granville to request that you will move the Earl of Derby to inform Sir A. Dingli that instructions will be forwarded to him at Tunis with as little delay as possible.

I am, &c.
(Signed) JULIAN PAUNCEFOTE.

No. 160.

Viscount Lyons to Earl Granville.—(Received March 27.)

(No. 169.)

My Lord,

Paris, March 26, 1884.

WITH reference to my despatch No. 89 of the 19th ultimo, I have the honour to inform your Lordship that in the Chamber of Deputies the day before yesterday M. Jules Ferry, President of the Council of Ministers, requested that the Bill for the Financial Reorganization of Tunis should be placed on the order of the day.

It was decided that this Bill should be placed second on the order of the day of Monday next, the 31st instant, immediately after the Bill concerning the Senegal Railway.

I have, &c.
(Signed) LYONS.

F.O. 403/51

BE REPRODUCED PHOTOGRAPHICALLY WITHOUT PERMISSION OF THE PUBLIC RECORD OFFICE, LONDON

Sir J. Pauncefote to Messrs. McNaught, Pearse, and Middleton.

Gentlemen,

Foreign Office, March 27, 1884.

WITH reference to my letter of the 21st February, I am directed by Earl Granville to inform you that his Lordship has now received from Her Majesty's Minister in Morocco a translation of a communication from the Moorish Government, giving the result of the inquiry which was promised into the statements contained in your letter of the 7th December last, as to the circumstances under which certain goods introduced into Soos by the Sûs and North African Trading Company were seized by the Moorish authorities.

A copy of this letter is inclosed for your information.*

It will be seen that the alleged complicity of certain of the Sultan's officers in the landing of the merchandize is denied, and that the release of the Moors, who were imprisoned in consequence of this affair, is promised upon certain conditions.

I am to add that, in order to avoid delay in the release of the prisoners, Sir J. D. Hay proposes to request Mr. Peyton, Her Majesty's Consul at Mogador, as soon as the required surety is obtained, to transmit it through the Governor of Mogador to the Governor of Morocco, and he will further urge upon the Moorish Government that the Governor of Morocco be directed by his Shereefian Majesty to liberate the men on the receipt of the surety from Mogador.

I am, &c.
(Signed) JULIAN PAUNCEFOTE.

No. 162.

Earl Granville to Sir S. Lumley.

(No. 62.)

Sir,

Foreign Office, March 28, 1884.

I TRANSMIT to your Excellency herewith, for your information, copy of a despatch, as marked in the margin,† relative to France and Morocco.

I am, &c.
(Signed) GRANVILLE.

No. 163.

Earl Granville to Sir J. Drummond Hay.

(No. 11.)

Sir,

Foreign Office, March 29, 1884.

WITH reference to your despatch No. 18 of the 12th instant, I transmit to you herewith copy of a letter, as marked in the margin,‡ relative to the Sûs and North African Trading Company, and to the question of the seizure of their property by the Moorish Government.

I am, &c.
(Signed) GRANVILLE.

No. 164.

Earl Granville to Viscount Lyons.§

My Lord,

Foreign Office, March 29, 1884.

I TRANSMIT herewith to your Excellency copies of despatches, as marked in the margin,|| relative to France and Morocco, for your information.

I am, &c.
(Signed) GRANVILLE.

† No. 115.

* Inclosure in No. 140.
‡ No. 161.

§ Also to Sir R. Morier, No. 39.

|| Nos. 153 and 154.

Earl Granville to Sir A. Dingli.

Sir,

Foreign Office, March 29, 1884.

THE Secretary of State for the Colonies has communicated to me a copy of your letter of the 20th ultimo to the Colonial Secretary of Malta, in which you convey your acceptance of the office of British Arbitrator under the arrangement concluded between Her Majesty's Government and the Government of the French Republic for the settlement of British claims at Tunis.

In expressing to you my satisfaction at receiving that communication, I have to request that on your arrival at Tunis you will address yourself to Her Majesty's Agent and Consul-General in the Regency, who will be instructed to take the necessary steps to place you in communication with the French authorities, with a view to the disposal of such claims as may be awaiting arbitration.

I inclose a copy of the official correspondence on the subject.*

I am, &c.
(Signed) GRANVILLE.

No. 166.

M. Waddington to Earl Granville.—(Received March 30.)

M. le Comte,

Londres, le 29 Mars, 1884.

POUR répondre au désir que vous avez bien voulu m'exprimer, le Bey de Tunis, sur la proposition de mon Gouvernement, vient de nommer son Arbitre pour le règlement des réclamations Anglaises contre la Régence. Le choix de Son Altesse Beylicale s'est porté sur M. de Blignièrès, qui a été longtemps en rapport avec les autorités Anglaises et dont le caractère a pu être apprécié par le Gouvernement de la Reine. M. de Blignièrès a été invité à se rendre en Tunisie le plus promptement possible afin de se mettre en relation avec Sir Adrian Dingli.

Mon Gouvernement aime à penser que les réclamations du Général Hamida Ben Ayad seront les seules sur lesquelles le Tribunal arbitral aura à se prononcer.

Votre Excellence, en effet, a bien voulu me faire savoir à la date du 22 de ce mois, que, des trois autres réclamations encore en suspens, deux allaient être réglées par une autre voie. Quant à la troisième, celle de la Compagnie Alfatière, M. Jules Ferry, comme je l'ai déjà fait observer à votre Excellence, pense qu'elle n'est pas de la catégorie de celles qu'on est convenu de soumettre à une décision arbitrale. En effet, la Société est Française et la réclamation est immobilière de sa nature. En outre, il est stipulé par l'Article 7 de l'Acte de Concession que les différends qui pourraient surgir entre la Compagnie et le Gouvernement Beylical seront déferés au Tribunal Français.

Mon Gouvernement est convaincu que votre Excellence sera amenée à reconnaître, après examen de l'affaire, la justesse de notre appréciation, et je lui serai très obligé de me faire connaître le plus tôt possible la réponse qu'elle m'a annoncée sur ce point.

Veillez, &c.
(Signé) WADDINGTON.

No. 167.

Sir J. Drummond Hay to Earl Granville.—(Received March 31.)

(No. 23.)

My Lord,

Tangier, March 22, 1884.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch No. 8 of the 13th instant, transmitting, for my information, copies of further correspondence with the agents of the Sûs and North African Company, who had requested your Lordship to direct me to furnish Mr. Cohen, their agent at Tangier, with a letter to the Sultan or his Minister, so that Mr. Cohen may personally endeavour to obtain a settlement of the claims of the Company upon the Moorish Government.

Mr. Cohen is the editor of the French journal, published weekly at Tangier, called the "Reveil du Maroc." This journal is supposed to receive a subvention from the

* "Tunis No. 1 (1884)."

French Legation, and I believe the leading articles are frequently written by M. Ordega, or, at any rate, under his inspiration or guidance. The aim of this journal is to proclaim the ascendancy of France in Morocco and the great benefits conferred on the civilized world by M. Ordega's acts, and to stigmatize the action of other Powers and of their Representatives as being obstructive, and opposed to the interests of the civilized world by seeking to uphold the independence of the Sultan and his Government. The "Reveil" frequently describes, and sometimes deservedly, the acts of the Moorish Government and of their officials in opprobrious terms; but the editor knows that there is no censor of the press in this wretched country, and that he is under the ægis of France.

I will not conceal from your Lordship that I am inclined to think, from various passages in the letter* of the Director of the Sûs and North African Company, dated the 24th ultimo, which has been published in the "Reveil," that M. Ordega has taken some underhand part in encouraging the Sûs and North African Company, through their agent, Mr. Cohen, in their attack upon the policy of Her Majesty's Government, and especially upon my conduct as regards British interests.

In the numerous despatches I have addressed Her Majesty's Government respecting the proceedings of Mr. McKenzie at Cape Juby, and of the Sûs and North African Company, it will be found that I have generally upheld the claim of the Sultan of Morocco to be Sovereign over the Soos territory as far south as the River Drâa, which is marked in all maps as the southern boundary of Morocco. In letters addressed to the Sultans of Morocco by British and other foreign Sovereigns, Soos is frequently mentioned as one of their Principalities. In the year 1845 or 1846, when the Commander of a French vessel-of-war, Captain Bouet, visited the Soos coast, and entered into a Treaty with Sheikh Beirook, of Wadnoon, for the cession of a port, an interpellation was made by Her Majesty's Government, which brought about a disavowal by the French Government of the act of this officer.

Sultan Mulai Hassan asserted his temporal sway over Soos when, in 1882, he marched a large army into that country, and received the submission of the greater part of the tribes; whilst His Majesty still holds to his intention of opening a port, and, now that the tribes have submitted to his rule, has offered to cede to the Spanish Government the port they had selected near Iîni, but which the Spanish Government most wisely hesitate to accept.

As to the correspondence of Mr. Merry, who was the Representative of Spain after the war of 1861, to which the Director of the Sûs and North African Company refers, wherein Mr. Merry is said to have declared that the Sultan had admitted that he had no control over the Soos people, and could not therefore cede the port to Spain, it was ultimately shown that the Sultan did accept all the responsibility as Sovereign of that country, by repaying the Spanish Government, at their demand, the ransom money claimed by Sheikh Beirook for the liberation of the Spanish captives detained by him.

When Mr. Curtis, the agent of the Sûs and North African Company, passed through Tangier last year, he had an interview with M. Ordega, and, I am therefore led to suppose, was encouraged by him to press the claim of the Company for indemnity on account of the confiscation of the merchandize landed on the Soos coast.

It may be asked what object M. Ordega could have had in meddling in this affair? To me it is evident. His hope or expectation was that the British Government would support the Sûs and North African Company in their pretensions, on the ground that the Sultan cannot claim Soos as part of his dominions. This first step towards destroying the integrity of the Empire, by declaring that where the Sultan has no power of control his sovereignty cannot be admitted, would be a very important precedent for M. Ordega, who openly speaks of his desire to destroy the integrity of Morocco, and to commence this by seeking for an alteration of the frontier, and by annexing to Algeria portions of the Sultan's dominions.

M. Ordega's policy and views are antagonistic to mine. His aim is to destroy the little authority possessed by the Sultan and the integrity of his dominions; mine has been to endeavour to preserve the territorial *status quo*, not from any feeling of sympathy for a Government which I have frequently described as being the worst in the world, but on account of the policy, and I may almost say the necessity, that England should never allow France to be master of the Straits of Gibraltar, by annexing Morocco or even establishing a Protectorate over it.

The French Government may be sincere in giving satisfactory assurances to Her Majesty's Government, but the action of their agents and the policy pursued is in direct contradiction of these assurances.

* See Inclosure 1 in No. 141.

Mr. Cohen is a British subject, and has occasionally addressed communications to newspapers, in which my conduct of affairs and policy were attacked: he was no doubt on that account selected by M. Ordega as a fit channel for making known his views to the public. I trust, therefore, that whatever decision may be come to by Her Majesty's Government, I may never be directed to have any communication with Mr. Cohen.

I have thought it advisable not to take any notice of the leading articles in the "Reveil du Maroc," which are, as I have said, evidently written or inspired by M. Ordega, further than to tell colleagues, who have called my attention to them, that they are too contemptible, from their mis-statements and falsehoods, to deserve notice or even perusal.

I have, &c.
(Signed) J. H. DRUMMOND HAY.

No. 168.

M. Waddington to Earl Granville.—(Received March 31.)

M. le Comte,

Londres, le 29 Mars, 1884.

POUR répondre au désir que vous avez bien voulu m'exprimer, le Bey de Tunis, sur la proposition de mon Gouvernement, vient de nommer son arbitre pour le règlement des réclamations Anglaises contre la Régence. Le choix de son Altesse Beylicale s'est porté sur M. de Blignières, qui a été longtemps en rapports avec les autorités Anglaises, et dont le caractère a pu être apprécié par le Gouvernement de la Reine. M. de Blignières a été invité à se rendre en Tunisie le plus promptement possible, afin de se mettre en relations avec Sir Adrian Dingli.

Mon Gouvernement aime à penser que les réclamations du Général Hamida Ben Ayad seront les seules sur lesquelles le Tribunal Arbitral aura à se prononcer.

Votre Excellence, en effet, a bien voulu me faire savoir, à la date du 22 de ce mois, que, des trois autres réclamations encore en suspens, deux allaient être réglées par une autre voie. Quant à la troisième, celle de la Compagnie Alfatière, M. Jules Ferry, comme je l'ai déjà fait observer à votre Excellence, pense qu'elle n'est pas de la catégorie de celles qu'on est convenu de soumettre à une décision arbitrale. En effet, la Société est Française, et la réclamation est immobilière de sa nature. En outre, il est stipulé par l'Article 7 de l'Acte de Concession que les différends qui pourraient surgir entre la Compagnie et le Gouvernement Beylical seront déferés au Tribunal Français.

Mon Gouvernement est convaincu que votre Excellence sera amenée à reconnaître, après examen de l'affaire, la justesse de notre appréciation, et je lui serai très obligé de me faire connaître le plus tôt possible la réponse qu'elle m'a annoncée sur ce point.

Veillez, &c.
(Signé) WADDINGTON.

No. 169.

Earl Granville to Mr. Reade.

(No. 13.)

Foreign Office, March 31, 1884.

Sir,

I TRANSMIT herewith, for your information and guidance, copy of a despatch which I have addressed to Sir Adrian Dingli, explaining the course which he should pursue on arrival at Tunis.*

You will lose no time in placing Sir Adrian Dingli in communication with the French authorities, in order that he may be in a position to carry out the mission with which he is charged, and you will supply him with all such information in your possession as he may require.

I am, &c.
(Signed) GRANVILLE.

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* No. 165.

F.O. 403/51

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